



SPONSOR: Rep. Lynn & Sen. Lawson & Sen. Pettyjohn
Reps. Briggs King, Mitchell, Outten; Sens. Ennis,
Hocker, Richardson

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 179

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 5501, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 5501. Definitions. [Effective Jan. 1, 2018]

(m) "9-1-1 operator" means a call taker, dispatcher, manager, supervisor, or chief employed by the Delaware State Police or Delaware Capitol Police and responsible for the answering of 9-1-1 emergency line calls or dispatching law enforcement personnel and equipment, including personnel assigned to the Delaware State Police Headquarters Communication Center. Specific job titles included in the definition of "9-1-1 operator" are Manager, State Police Telecommunications; Assistant Manager, State Police Telecommunications; Emergency Communications Center Manager; Headquarters Communications Center Manager; Telecommunications Shift Supervisor; Senior Telecommunications Specialist (ERC); and Telecommunications Specialist (PSAP and HQ Communications).

Section 2. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5522. Eligibility for service pension. [Effective until Jan. 1, 2019]

(a) An employee shall become eligible to receive a service pension, beginning with the month after the employee has terminated employment, if:

(6) The employee has 25 years of credited service, exclusive of service credited under § 5501(d)(4), (5), and (12) of this title, regardless of age, and is a 9-1-1 operator. The employee must have 25 years of credit service as a 9-1-1 operator.

Section 3. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

21 § 5522. Eligibility for service pension. [Effective Jan. 1, 2019]

22 (a) An employee shall become eligible to receive a service pension, beginning with the month after the employee
23 has terminated employment, if:

24 (6) The employee has 25 years of credited service, exclusive of service credited under § 5501(d)(4), (5), and
25 (12) of this title, regardless of age, and is a 9-1-1 operator. The employee must have 25 years of credit service as a
26 9-1-1 operator.

27 Section 4. Amend § 5543, Title 29 of the Delaware Code by making deletions as shown by strike through and
28 insertions as shown by underline as follows:

29 § 5543. Employee contributions.

30 (a)(1) Effective January 1, 1998, employee contributions to the Fund shall be 3% of total annual compensation in
31 excess of \$6,000 provided, however, that post-2011 employees will pay an employee contribution rate of 5% of total annual
32 compensation in excess of \$6,000. In no event shall total compensation during any calendar year in excess of \$6,000 be
33 exempt from contributions.

34 (2) The employee contribution for a correction officer or specified peace officer shall be 5% of annual
35 compensation in excess of \$6,000 provided, however, that a correction officer or specified peace officer who is also a
36 post-2011 employee will pay an employee contribution rate of 7% of annual compensation in excess of \$6,000.

37 (3) The employee contribution rate for a 9-1-1 operator is 5% of annual compensation in excess of \$6,000;
38 provided, however, that a 9-1-1 operator who is also a post-2011 employee must pay an employee contribution rate of
39 7% of annual compensation in excess of \$6,000.

40 Section 5. This Act takes effect on January 1, 2018, following the Board of Pension's receipt of a legal opinion
41 from the Board's tax counsel that the provisions of this Act should not have negative impact on the qualified status of the
42 State Employees' Pension Plan. The Board of Pensions shall provide notice to the Registrar of Regulations that the Board
43 has received the legal opinion. In the absence of a legal opinion being issued, this Act takes effect on January 1, 2018.

SYNOPSIS

This Act permits State employees who are employed by the Delaware State Police or Delaware Capitol Police and work in a variety of job titles, all of which are more commonly referred to as "9-1-1 operators," to retire at 25 years without any reduction. Those employees will pay a higher employee contribution rate than other State employees.