



**149th GENERAL ASSEMBLY
FISCAL NOTE**

BILL:	SENATE BILL NO. 202
AS AMENDED BY:	SENATE AMENDMENT NO. 1
SPONSOR:	Senator Pettyjohn
DESCRIPTION:	AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATNG TO WORKERS' COMPENSATION BENEFITS.

Assumptions:

1. This Act becomes effective upon signing by the Governor.
2. This Act ensures that the spouses of those killed in the line of duty are able to receive benefits for the remainder of their lives regardless of future marital status.
3. This Act changes the current two-year lump-sum annual benefit payment surviving spouses receive following re-marriage to 90% of their original benefit amount for the first ten years and 75% of their original benefit thereafter. This Act only affects State employees whose salary and benefits are paid from General Fund appropriations.
4. There are currently four (4) surviving spouses that qualify under this Act whose annual benefits total roughly \$100,000 and average \$25,000 annually. Three (3) of the four State employees killed in the line of duty were employed with the Department of Safety and Homeland Security and one (1) was an employee of the Department of Corrections.
5. The Department of Human Resources estimates survival spousal benefit payments for these employees to be paid over an average period of 30 years. The Department of Human Resources further estimates that roughly 20% of spouses with similar circumstances remarry.

The total estimated cost under this Act is \$550,000 over the average 30 year payment period. The lump-sum payment the State would have made to surviving spouses that are assumed to remarry fully offsets the continuance of annual payments made by this Act for Fiscal Years 2019 and 2020.

6. Assumes no growth in the number of spouses that are eligible.

Cost: Worker's Compensation Fund

FY 2019: \$0

FY 2020: \$0

FY 2021: \$22,500

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