

CHAPTER 11
FORMERLY
HOUSE BILL NO. 53

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE.

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

Section 1. Amend Chapter 51, Title 29 of the Delaware Code by adding a new section to read as follows:

“§ 5124. Unpaid leaves of absence.

(a) An unpaid leave of absence may not be granted to a State employee for the purpose of serving a term of incarceration imposed upon the employee after a conviction as defined in 11 Del. C. § 222(3).

(b) The term ‘State employee’ means an employee in any position of State employment, except a constitutionally created position or an elected position. State employees include, but are not limited to, classified service positions, merit comparable positions, school district employees, and employees of the Delaware State Police.”.

Section 2. If any provision of this Act or the application thereof to any person or circumstance shall be held invalid, unenforceable, or unconstitutional, the remainder of such provisions, and the application of such provision to any person or circumstance other than those as to which it is held invalid, shall not be affected.

Approved April 09, 2009