

LAWS OF DELAWARE
VOLUME 83
CHAPTER 127
151st GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 181

AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE AND THE CHARTER OF THE TOWN OF DELMAR RELATING TO THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend § 1602, Title 19 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1602. Definitions.

~~(1)~~(1) “Public employer” or “employer” means the State or political subdivisions of the State or any agency thereof, any county, or any agency thereof, or any municipal corporation or municipality, city or town located within the State or any agency thereof, which:

~~(1)~~a. Upon the affirmative legislative act of its common council or other governing body has elected to come within Chapter 13 of this title;

~~(2)~~b. Hereafter elects to come within this chapter; or

~~(3)~~c. Employs 25 or more full-time employees. For the purposes of this paragraph, “employees” shall include each and every person employed by the public employer except:

a.1. Any person elected by popular vote; and

b.2. Any person appointed to serve on a board or commission.

(2) “Public employer” or “employer” includes the Town of Delmar, Delaware.

Section 2. Amend Section 4 of the Charter of the Town of Delmar by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 4. Enumeration of Powers.

(c) Notwithstanding subsection (a) of this section or Section 18(a) of this Charter, all of the following apply:

(1) The Town is a “public employer” or “employer” as defined in § 1602 of Title 19 of the Delaware Code.

(2) Chapter 16 of Title 19 of the Delaware Code, including determinations made under Chapter 16 of Title 19 of the Delaware Code, applies to the Town, including in a cooperative agreement between the Town and the Town of Delmar, Maryland entered into before, on, or after [the effective date of this Act].

Approved September 7, 2021