

LAWS OF DELAWARE
VOLUME 84
CHAPTER 296
152nd GENERAL ASSEMBLY
FORMERLY
SENATE BILL NO. 326

AN ACT MAKING A ONE-TIME SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2025 TO THE OFFICE OF MANAGEMENT AND BUDGET.

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

Section 1. There is hereby appropriated \$168,362,517 (One Hundred Sixty-Eight Million, Three Hundred Sixty-Two Thousand, Five Hundred Seventeen Dollars) in General Funds to Executive, Office of Management and Budget, Contingencies and One-Time Items (10-02-11) for the following purposes:

(01-08-02)	Technology	\$2,000,000
(02-03-10)	Board of Canvass	\$80,000
(02-03-10)	Permit to Purchase	\$30,600
(02-06-10)	Equipment	\$16,900
(02-08-10)	Equipment	\$34,100
(10-02-11)	ERP Cloud Migration	\$1,243,200
(10-02-11)	State Fleet Electric Vehicles	\$250,000
(10-02-11)	Trauma Informed Services Contingency	\$2,200,000
(10-02-11)	Gubernatorial Transition	\$325,000
(10-02-11)	Criminal Justice Systems Programming Updates	\$505,100
(10-02-11)	Post-Retirement Increase Supplement – FY25	\$51,000,000

(10-02-32)	Other Post-Employment Benefits	\$56,067,167
(10-02-50)	Sign Replacement	\$300,000
(10-07-01)	Technology	\$200,000
(10-07-01)	Equipment	\$4,000
(10-07-02)	Permit to Purchase	\$226,300
(12-03-01)	Insurance Revenue Shortfall	\$3,200,000
(12-05-06)	Delaware EARNs	\$300,000
(15-02-02)	Equipment	\$3,800
(15-02-02)	Equipment	\$9,900
(16-01-01)	Records Digitization	\$270,000
(35-02-01)	Medicaid	\$10,443,700
(35-02-01)	Medicaid Technology Contingency – HS2 for HB110	\$250,000
(35-02-01)	Medicaid Technology Contingency – SS1 for SB13	\$87,500
(35-05-10)	Equipment Contingency – HB124	\$14,450
(35-05-20)	Residential Lead Remediation	\$2,500,000
(35-05-20)	Childhood Lead Poisoning Prevention	\$1,000,000
(35-05-30)	Equipment	\$62,000
(35-06-30)	Technology	\$368,500
(35-07-01)	Child Care Contingency	\$15,000,000
(35-09-01)	Health Care Licensing Surveys	\$207,700
(37-01-50)	Security and Safety Equipment	\$140,700
(38-01-02)	Equipment	\$6,700
(38-01-03)	Prison Research Innovation Network	\$105,500
(38-04-01)	Equipment	\$201,700
(38-04-01)	Security and Safety Equipment	\$444,700
(38-04-04)	Renovation	\$100,900
(38-04-04)	Equipment	\$83,300
(38-04-06)	Renovation	\$69,000

(38-04-20)	Kitchen Equipment	\$275,300
(38-06-13)	Security and Safety Equipment	\$13,500
(40-01-07)	Special Fund Revenue Contingency	\$2,500,000
(40-03-03)	Hunting Enforcement	\$97,700
(40-04-03)	Non-Tidal Wetlands Study	\$150,000
(40-04-05)	Equipment	\$21,200
(45-02-10)	Equipment	\$83,500
(45-02-10)	Security and Safety Equipment	\$92,400
(45-04-10)	Equipment	\$28,800
(45-06-08)	Permit to Purchase	\$1,560,300
(65-01-01)	Veterinary Analysis	\$45,000
(70-01-01)	Early Voting Contingency	\$2,949,600
(70-01-01)	Primary and General Elections	\$1,476,400
(70-01-01)	Voting Machine Equipment	\$1,318,400
(70-01-01)	Voting Machine Battery Replacement	\$271,400
(70-02-01)	Specialty Vehicle	\$80,000
(70-02-01)	Primary and General Elections	\$2,818,500
(70-03-01)	Specialty Vehicle	\$80,000
(70-03-01)	Primary and General Elections	\$1,533,300
(70-04-01)	Specialty Vehicle	\$80,000
(70-04-01)	Primary and General Elections	\$1,686,800
(75-01-01)	Security and Safety Equipment	\$36,000
(75-01-01)	Technology	\$80,000
(75-03-01)	Equipment	\$37,000
(95-02-02)	School Cell Phone Pilot Program	\$250,000
(95-03-20)	School-Based Behavioral Health Technology	\$1,200,000
(95-03-20)	Pre-K Summer Tutoring Pilot Program	\$245,000

Section 2. Section 1 of this Act appropriates \$250,000 to Executive, Office of Management and Budget, Contingencies and One-Time Items (10-02-11) for State Fleet Electric Vehicles. The expenditure of these funds shall be contingent upon the passage of House Bill 9 or similar legislation of the 152nd General Assembly.

Section 3. Section 1 of this Act appropriates \$505,100 for Criminal Justice Systems Programming Updates to Executive, Office of Management and Budget, Contingencies and One-Time Items (10-02-11). The expenditure of these funds shall be used for updates to various criminal justice systems that require one-time enhancements, modifications, or programming changes based on the requirements of legislation enacted by the General Assembly.

Section 4. Section 1 of this Act appropriates \$56,067,167 to Executive, Office of Management and Budget, Pensions (10-02-32) for Other Post-Employment Benefits. In accordance with 29 Del. C. § 5544 (c) (2), the Director of Office of Management and Budget shall transfer these funds to the Other Post-Employment Benefits Fund as established by 29 Del. C. § 5281.

Section 5. Section 1 of this Act appropriates \$4,000 for Equipment to Executive, Criminal Justice, Criminal Justice Council (10-07-01). The expenditure of these funds shall be contingent upon the passage of House Bill 340 or similar legislation of the 152nd General Assembly.

Section 6. Section 1 of this Act appropriates \$9,900 for Equipment to Legal, Office of Defense Services, Public Defender (15-02-02). The expenditure of these funds shall be contingent upon the passage of House Bill 86 or similar legislation of the 152nd General Assembly.

Section 7. Section 1 of this Act appropriates \$250,000 to the Department of Health and Social Services, Division of Medicaid and Medical Assistance, Medicaid and Medical Assistance (35-02-01) for Medicaid Technology. The expenditure of these funds shall be contingent upon the passage of House Substitute 2 for House Bill 110 or similar legislation of the 152nd General Assembly.

Section 8. Section 1 of this Act appropriates \$87,500 to the Department of Health and Social Services, Division of Medicaid and Medical Assistance, Medicaid and Medical Assistance (35-02-01) for Medicaid Technology. The expenditure of these funds shall be contingent upon the passage of Senate Substitute 1 for Senate Bill 13 or similar legislation of the 152nd General Assembly.

Section 9. Section 1 of this Act appropriates \$14,450 to the Department of Health and Social Services, Division of Public Health, Director's Office/Support Services (35-05-10) for Equipment. The expenditure of these funds shall be contingent upon the passage of House Bill 124 or similar legislation of the 152nd General Assembly.

Section 10. Section 1 of this Act appropriates \$1,000,000 to the Department of Health and Social Services, Public Health, Community Health (35-05-20) for implementing the Childhood Lead Poisoning Prevention Advisory Committee recommendations.

Section 11. Section 1 of this Act appropriates \$6,700 for Equipment to the Department of Correction, Administration, Human Resources (38-01-02). The expenditure of these funds shall be contingent upon the passage of Senate Substitute 1 for Senate Bill 164 or similar legislation of the 152nd General Assembly.

Section 12. Section 1 of this Act appropriates \$150,000 to the Department of Natural Resources and Environmental Control (DNREC), Division of Water (40-04-03) for a Non-Tidal Wetlands Study. The expenditure of

these funds shall be used to provide contractual support to lead a collaborative stakeholder process, which shall include those engaged in the current wetlands stakeholder working group, to complete a programmatic review and feasibility study, and to develop guidelines and the permitting process for a comprehensive, combined tidal and nontidal wetland program as recommended in the Senate Joint Resolution 2, of the 151st General Assembly, Report to the Governor and Legislature, prepared by DNREC, September 29, 2023.

Section 13. Section 1 of this Act appropriates \$28,800 for Equipment to the Department of Safety and Homeland Security, Division of Alcohol and Tobacco Enforcement (45-04-10). The expenditure of these funds shall be contingent upon the passage of Senate Bill 166 or similar legislation of the 152nd General Assembly.

Section 14. Section 1 of this Act appropriates \$10,464,600 to the Department of Elections. Any funds remaining after election expenses may be used by the Department of Elections for one-time initiatives upon approval from the Director of the Office of Management and Budget and the Controller General. These funds shall not revert to the General Fund.

Section 15. Section 1 of this Act appropriates \$250,000 to the Department of Education, District and Charter operations, Other Items (95-02-02) for a School Cell Phone Pilot Program. These funds shall be used to establish a voluntary school cell phone pouch pilot program for local education agencies serving students in grades 6-12 to provide technology solutions that reduce the usage of cell phone distractions during learning hours. The Department of Education shall establish an application and disbursement process for the program and shall provide a report to the Co-Chairs of the Joint Finance Committee, the Controller General, and the Director of the Office of Management and Budget on the number of applicants, expenditure of funds, and related performance metrics, such as changes in school climate, academic performance, etc. as a result of the program by May 1, 2025.

Section 16. Section 1 of this Act appropriates \$1,200,000 to the Department of Education, Pass Through and Other Support Programs, Special Needs Programs (95-03-20) for School-Based Behavioral Health Technology. The expenditure of these funds shall be contingent upon passage of House Substitute 1 for House Bill 5 or similar legislation of the 152nd General Assembly. Prior to the expenditure of these funds, the Department of Education shall pursue any federal funding opportunities in lieu of these funds. Should federal funds become available, the funds appropriated under Section 1 of this Act may be reallocated upon approval from the Joint Finance Committee Co-Chairs, the Director of the Office of Management and Budget, and the Controller General.

Section 17. Section 1 of this Act appropriates \$245,000 to the Department of Education, Pass Through Programs, Special Needs Programs (95-03-20) for Pre-K Summer Tutoring Pilot Program. The Department of Education is authorized to transfer the funds to the Red Clay Consolidated School District to manage this program. Notwithstanding 29 Del. C. c. 69, the Red Clay Consolidated School District is authorized to execute a contract for services with Reading Assist to pilot this program.

Section 18. Section 1 of 83 Del. Laws c. 326 appropriated \$8,730,000 in UCS Server Replacements to Executive, Office of Management and Budget, Contingencies and One-Time Items (10-02-11). These funds shall be reprogrammed to ERP Cloud Migration for modernizing the State's Enterprise Resource Programs.

Section 19. (a) Amend §5532, Chapter 55, Title 29, Delaware Code, by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5532. Increases in pensions

(s) Any monthly service, disability, and survivor pension based on a former service or disability pension that was effective on or before June 30, 2004, and is payable on July 1, 2024, shall be increased effective July 1, 2024, by 2%. Any monthly service, disability, and survivor pension based on a former service or disability pension that was effective on or before June 30, 2019, but after June 30, 2004, and is payable on July 1, 2024, shall be increased effective July 1, 2024, by 1%. These increases shall continue to be paid through June 30, 2025, and every fiscal year thereafter, provided that funds are appropriated by the General Assembly in accordance with § 5544 of this title.

(b) The increases provided by this Act shall not apply to pensions awarded under §5527(d)(1), Chapter 55, Title 29, Delaware Code.

(c) Amend §5544, Chapter 55, Title 29, Delaware Code, by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 5544. Actuarial valuations and appropriations.

(u) (1) The State's obligation to the State Employees' Pension Plan, the State Judiciary Retirement Fund, and the New State Police Retirement Fund to implement the provisions of §5532(s) of this Chapter shall be funded through the appropriation contained in the Fiscal Year 2025 One-Time Supplemental Appropriations Act for "Post Retirement Increase Supplement - FY 25" and through the Post Retirement Fund established in §5548 of this title.

(2) The State's obligation to the Special Pension Fund authorized by Volume 61, Chapter 455, Laws of Delaware, to implement the provisions of §5532(s) of this title shall be treated as an actuarial loss during the next actuarial valuation process of the Special Pension Fund.

Approved June 30, 2024