



LAWS OF DELAWARE
VOLUME 85
CHAPTER 303
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 303

AN ACT TO AMEND TITLE 11, TITLE 19, AND TITLE 29 OF THE DELAWARE CODE RELATING TO JUVENILE PROBATION AND PAROLE OFFICERS AND OTHER EMPLOYEES OF THE DIVISION OF CHILDREN, YOUTH, AND THEIR FAMILIES.

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

Section 1. Amend § 8402A, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8402A. Body-worn camera requirements.

(a) In accordance with the regulations established in §§ 8404, 4321, and 9003 of this title, a police officer, a probation and parole officer of the Department of Correction assigned to a law-enforcement task force, and ~~an employee of the Department of Services for Children, Youth, and Their Families designated as a special investigator or serious juvenile offender officer~~ a Juvenile Probation and Parole Officer of the Department of Services for Children, Youth, and Their Families shall wear a body-worn camera while on duty in a role that is likely to result in interactions with the public.

(b) A police officer, a probation and parole officer of the Department of Correction assigned to a law-enforcement task force, and ~~an employee of Department of Services for Children, Youth, and Their Families designated as a special investigator or serious juvenile offender officer~~ a Juvenile Probation and Parole Officer of the Department of Services for Children, Youth, and Their Families required to wear a body-worn camera under subsection (a) of this section shall use the body-worn camera to record interactions with the public while on duty in accordance with the regulations established in §§ 8404, 4321, and 9003 of this title.

Section 2. Amend § 9200, Title 11 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 9200. Limitations on political activity; “law-enforcement officer” defined; rights of officers under investigation.

(b) For purposes of this chapter:

(4) “Law-enforcement officer” or “officer” means a full-time or part-time police officer who is a sworn member of the Delaware State Police, of the Wilmington City Police Department, of the New Castle County Police, of the University of Delaware Police Division, the Delaware State University Police Department, of the police force established by the Delaware River and Bay Authority, or of the police department, bureau of police or police force of any incorporated municipality, city or town within this State or who is a sworn uniformed police or enforcement officer of the Department of Natural Resources and Environmental Control or of the Delaware State Capital Police, or a Probation and Parole Officer of the Department of Correction or a Juvenile Probation and Parole Officer of the Department of Services for Children, Youth and their Families, or a State Fire Marshall Deputy or a state detective or special investigator of the Department of Justice, an agent of the State Police Drug Diversion Unit or an agent of the State Division of Alcohol and Tobacco Enforcement; provided, however, that except for the disclosures required under § 9210 of this title, this chapter shall not apply to the Superintendent or Deputy Superintendent of the Delaware State Police, or to any officer above the rank of Captain in the Delaware State Police, or to the chief of police of any police force in this State, or to any other officer who is the highest ranking officer in the law-enforcement agency. An officer who is not a member of 1 of the above agencies is not covered by this chapter.

Section 3. 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 [For application of this section, see 83 Del. Laws, c.146, §§ 2, 3].

(11) “Police officer” means as defined in § 8401 of Title 11 and includes probation and parole officers of the Department of ~~Correction~~ Correction and Juvenile Probation and Parole Officers of the Department of Services for Children, Youth, and Their Families. “Police officer” does not include any of the following:

a. The Department of Correction’s Director of Probation and Parole, correctional officers and similar correctional occupations.

b. Correctional supervisors and nonuniformed correctional employees who are employed in a secure facility operated by the Department of Correction or the Department of Services for Children, Youth and their Families, or who have

inmate contact which is composed of correctional lieutenants, staff lieutenants, correctional captains, nonuniformed correctional employees who are employed in a secure Department of Correction facility or who have inmate contact and similar occupations.

- c. Persons and officers not included pursuant to § 8401(6)b. of Title 11.
- d. The Attorney General and the Attorney General’s deputies.
- e. Any position at a director or executive level whose essential job function and advanced knowledge about the issues involved in collective bargaining would make it unduly burdensome for the employer to negotiate effectively if the employee were a member of an appropriate bargaining unit. This exclusion applies only to those units not already organized upon September 10, 2021, the effective date of this exclusion.

Section 4. Amend § 5501, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5501. Definitions.

(k) “Specified peace officer” shall mean:

(10) ~~Probation and parole officers in the Serious Juvenile Offender Unit and senior probation officers employed by the Division of Services for Children, Youth, and Their Families.~~ Juvenile Probation and Parole Officers and Juvenile Probation and Parole Officer Supervisors employed by the Department of Services for Children, Youth, and Their Families.

Section 5. 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.

(a) An employee ~~shall become~~ is eligible to receive a service pension, beginning with the month after the employee has terminated employment, ~~if:~~ if any of the following apply:

- (1) The employee has 5 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12) of this title, and has attained age ~~62;~~ 62.
- (2) The employee has 15 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12) of this title, and has attained age ~~60;~~ 60.
- (3) The employee has 30 years of credited ~~service;~~ service.
- (4) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12) of this title, regardless of ~~age;~~ age.
- (5) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12) of this title, regardless of age, and is a Department of Correction ~~employee~~ employee, a Department of Services for Children, Youth, and Their Families employee, or a specified peace officer. The employee must have 20 years of credited service as a correction officer or specified peace ~~officer;~~ officer.
- (6) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5), and (12) of this title, regardless of age, and is a 911 operator. The employee must have 25 years of credit service as a 911 operator.

Approved June 24, 2026