



SPONSOR: Rep. Morrison & Sen. Gay
Reps. Baumbach, Lambert, Osienski, Ramone, Wilson-
Anton, Yearick; Sens. Hansen, Sokola

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 319

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PROHIBITIONS ON NEPOTISM IN STATE EMPLOYMENT.

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

1 Section 1. Amend Chapter 58, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by strike through as follows:

3 § 5806A. Prohibitions on nepotism.

4 (a) By [30 days after the effective date of this Act], the Department of Human Resources shall implement a policy
5 for application to all executive branch agencies that contains the following prohibitions:

6 (1) A state employee, state officer, or honorary state official may not serve as the supervisor of a relative.

7 (2) A state employee, state officer, or honorary state official may not be directly involved in or attempt to
8 influence state agency decision-making with respect to the hiring or promotion of a relative.

9 (b) (1) By [60 days after the effective date of this Act], the General Assembly, the judicial branch, and elected
10 state officers shall develop a policy prohibiting nepotism in employment in the legislative branch and the courts, as well as
11 any office or agency led by an elected state officer.

12 (2) The policy developed under paragraph (b)(1) of this section must be at least as restrictive as the policy
13 promulgated by the Department of Human Resources.

14 (3) Any office or branch that fails to develop its own policy shall be governed by the policy promulgated by
15 the Department of Human Resources.

16 (c) Whenever a substantive change is proposed to the Department of Human Resources policy required under
17 subsection (a) of this section, the Department of Human Resources must provide at least 60 days' notice to the General
18 Assembly prior to implementation of the change. Notice shall be made by delivery of the proposed change to the Secretary
19 of the Senate, the Chief Clerk of the House, and the Director of the Division of Research.

SYNOPSIS

This Act requires the Department of Human Resources to develop an executive branch policy restricting nepotism in state employment and prohibiting supervision of a state employee by a relative. It further requires the legislative and judicial branches, as well as offices headed by other elected officials to develop and implement comparable policies.