



SPONSOR: Rep. J. Johnson & Sen. Ennis  
Reps. Briggs King, Smyk

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 43

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS.

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

1 Section 1. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 5522. Eligibility for service pension [Effective Jan. 1, 2017, until Jan. 1, 2019]

4 (a) An employee shall become eligible to receive a service pension, beginning with the month after the employee  
5 has terminated employment, if:

6 (5) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12)  
7 of this title, regardless of age, and is a ~~correction officer~~ Department of Correction employee. The employee must have 20  
8 years of credited service as a correction officer.

9 Section 2. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and  
10 insertions as shown by underline as follows:

11 § 5522. Eligibility for service pension [Effective Jan. 1, 2019]

12 (a) An employee shall become eligible to receive a service pension, beginning with the month after the employee  
13 has terminated employment, if:

14 (5) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12)  
15 of this title, regardless of age, and is a ~~correction officer~~ Department of Correction employee or a specified peace officer.  
16 The employee must have 20 years of credited service as a correction officer or specified peace officer.

SYNOPSIS

This bill clarifies that a Department of Correction's employee who has served for 25 years with at least 20 years as a correction officer is eligible to retire at 25 years.