



SPONSOR: Rep. Briggs King & Sen. Lopez  
Reps. Carson, Hudson, Keeley, Kowalko, Longhurst,  
Spiegelman, Wilson; Sen. Townsend

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 64

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

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

1 Section 1. Amend § 5120, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
2 insertions as shown by underline as follows:

3 § 5120. ~~Paid leave~~ Leave for birth of a child or adoption of a child.

4 (a) For child care purposes, a full-time or part-time employee shall be entitled to utilize accumulated sick leave  
5 upon the birth of a child of the employee or the employee's spouse, or upon the adoption by the employee of a pre-  
6 kindergarten age child as per the rules and regulations adopted by the Merit Employee Relations Board or State Personnel  
7 Office for maternity leave. Said regulations shall be issued within 30 days of July 16, 1999.

8 (b) In the event a mother who is a full-time employee gives birth to mononamniotic twins, or multiples of 3 or  
9 more, and notwithstanding the exhaustion of any benefits provided under the Family and Medical Leave Act [29 U.S.C.  
10 §§ 2601 et. Seq.], the mother shall be entitled to unpaid leave for at least 6 weeks following the discharge of the newborn(s)  
11 from the hospital or other medical care facility.

SYNOPSIS

Mothers who give birth to monoamniotic twins are often hospitalized as early as 26 weeks into the pregnancy due to the risk of complications of having twins share a single amniotic sack. Mothers who give birth to multiples of 3 or more often have the same issue of requiring extensive medical pre-natal care. As a result, the benefits provided under the federal Family and Medical Leave Act (FMLA) are often exhausted by the time the mother and children are discharged from the hospital. This bill provides that mothers who are full time state employees may have up to six weeks of unpaid leave following the newborn(s) discharge from the hospital even if their FMLA benefits have been exhausted.