



SPONSOR: Rep. Gray & Rep. Dukes & Sen. Hocker & Sen. Simpson
Reps. Bolden, Briggs King, Hudson, Kenton, Wilson;
Sens. Bonini, Lavelle, Lopez

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 266

AN ACT TO AMEND TITLES 22 AND 9 OF THE DELAWARE CODE RELATING TO ENTERPRISE ZONES.

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

Section 1. Add a new Section to Title 22 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 116. Enterprise Zones within municipalities, a portion of which is located in Sussex County

(a) Any municipality of which a portion is located in Sussex County, by act of its governing body, may designate and create enterprise zones located within its boundaries and located in Sussex County.

(b) Within an enterprise zone, no person shall be required, as a condition or continuation of employment, to:

(1) become or remain a member of a labor organization;

(2) pay any dues, fees, assessments, or other similar charges, however designated, of any kind or amount to a labor organization, or;

(3) pay any charity or other third party, in lieu of such payments, any amount equivalent to or pro rata portion of dues, fees, assessments, or other charges required of members of a labor organization.

(c) This section shall not apply:

(1) to employers and employees covered by the Federal Railway Labor Act;

(2) to federal employers and employees;

(3) to employers and employees on exclusive federal enclaves;

(4) where they would otherwise conflict with, or be pre-empted by, federal law; or

(5) to public employees as defined in Title 19, § 1302 of this code;

(6) to public school employees as defined in Title 14, § 4002 of this code; or

(7) to any employment contract entered into before the effective date of this Chapter. However, the provisions of this Chapter shall apply to any renewal or extension of any existing contract.

Section 2. Add a new Section to Title 9 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

23 § 350. Enterprise Zones

24 (a) The county government of Sussex County, by act of its governing body, may designate and create enterprise
25 zones within unincorporated areas within its boundaries.

26 (b) Within an enterprise zone, no person shall be required, as a condition or continuation of employment, to:

27 (1) become or remain a member of a labor organization;

28 (2) pay any dues, fees, assessments, or other similar charges, however designated, of any kind or amount
29 to a labor organization, or;

30 (3) pay any charity or other third party, in lieu of such payments, any amount equivalent to or pro rata
31 portion of dues, fees, assessments, or other charges required of members of a labor organization.

32 (c) This section shall not apply:

33 (1) to employers and employees covered by the Federal Railway Labor Act;

34 (2) to federal employers and employees;

35 (3) to employers and employees on exclusive federal enclaves;

36 (4) where they would otherwise conflict with, or be pre-empted by, federal law; or

37 (5) to public employees as defined in Title 19, § 1302 of this code;

38 (6) to public school employees as defined in Title 14, § 4002 of this code; or

39 (7) to any employment contract entered into before the effective date of this Chapter. However, the
40 provisions of this Chapter shall apply to any renewal or extension of any existing contract.

SYNOPSIS

 This act allows Sussex County government to create Enterprise Zones within the unincorporated areas of Sussex
County.

 The act also allows any municipality, a portion of which is located in Sussex County, to create Enterprise Zones..