



SPONSOR: Rep. Osienski & Sen. Walsh

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 352

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE DELAWARE SECRETARY OF LABOR RELATED TO UNEMPLOYMENT COMPENSATION IN RESPONSE TO THE COVID-19 PANDEMIC.

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

Section 1. The General Assembly finds and declares all of the following:

(1) On March 12, 2020 Governor John C. Carney declared a State of Emergency effective as of March 13, 2020 due to the serious public health threat created by the novel coronavirus, "Covid-19."

(2) On March 16, 2020 Governor John C. Carney issued the First Modification of the March 12, 2020 Declaration of a State of Emergency due to a Public Health Threat which, among other things, in Paragraph 7 authorized the Delaware Secretary of Labor to develop emergency rules amending the Delaware Unemployment Insurance Code in order to enhance the flexibility of the unemployment insurance program in response to COVID-19 and alleviate some of the burden of temporary layoffs, isolation and quarantine by ensuring employment benefits are available to individuals whose employment has been impacted directly by COVID-19.

(3) On May 31, 2020 Governor John C. Carney issued the Twentieth Modification of the March 12, 2020 Declaration of a State of Emergency due to a Public Health Threat which extended the authorization to the Delaware Secretary of Labor to develop emergency rules amending the Delaware Unemployment Insurance Code until July 2, 2020, subject to further duration in a subsequent Modification to the State of Emergency.

(4) The interest of Delawareans will be served by ensuring the provisions contained in the Declaration of the State of Emergency as modified pertaining to the authorization to the Delaware Secretary of Labor to develop emergency rules amending the Delaware Unemployment Insurance Code are maintained into the foreseeable future to alleviate some of the financial burden imposed on Delawareans who are or become unemployed.

Section 2. Amend Title 29, Chapter 85 of the Delaware Code by making deletions as shown by strike through and additions as shown by underline as follows:

Departments of Government

Chapter 85. Department of Labor

§ 8503 Powers, duties and functions of the Secretary.

23 (7) To establish and to promulgate such rules and regulations governing the operation of the Department as
24 may be deemed necessary by the Secretary and which are not inconsistent with the laws of this State. The Secretary is
25 authorized to develop emergency rules amending the Delaware Unemployment Insurance Code which enhance the
26 flexibility of the unemployment insurance program in response to COVID-19 and alleviate some of the burden of
27 temporary layoffs, isolation and quarantine by ensuring unemployment benefits are available to individuals whose
28 employment has been impacted directly by COVID-19.

29 Section 3. This Act expires on March 31, 2021.

SYNOPSIS

This Act extends provisions in the First and Twentieth Modifications to the Declaration of a State of Emergency due to a Public Health Threat which authorize the Delaware Secretary of Labor to issue emergency rules amending the Delaware Unemployment Insurance Code to enhance flexibility in the program to meet the burden of temporary layoffs, isolation and quarantine suffered by Delaware employees as a result of the pandemic.