



SPONSOR: Rep. Briggs King & Sen. Lockman  
Reps. Bennett, Kowalko, Minor-Brown, Mitchell, Shupe,  
Michael Smith; Sens. Ennis, Gay, Paradee, Sokola

HOUSE OF REPRESENTATIVES  
151st GENERAL ASSEMBLY

HOUSE BILL NO. 47

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FAMILY LEAVE.

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

1 Section 1. Amend § 1333, Title 14 of the Delaware Code by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3 § 1333. Paid and Unpaid leave for birth of a child or adoption of a child.

4 (e) No state agency, board, department, reorganized school district, charter school, vocational school district or  
5 other employing officer or agency of this State may alter or terminate the benefits of or terminate the employment of any  
6 full-time employee as a result of taking leave pursuant to this section.

7 (f) Notwithstanding the exhaustion of any benefits provided under the Family and Medical Leave Act [29 U.S.C.  
8 2601 et. seq.] in the event a mother who is a full-time employee has a pregnancy complication that warrants a prolonged or  
9 extended hospitalization of the mother or the infant in the antepartum or immediate postpartum period, including giving  
10 birth to monoamniotic twins, or multiples of 3 or more, the mother shall be entitled to unpaid leave for at least 6 weeks  
11 following the discharge of the newborn(s) from the hospital or other medical care facility.

SYNOPSIS

In the 149th General Assembly House Bill No. 64 amended Title 29, Section 5120 to insure that mothers who are full time state employees may have up to 6 weeks of unpaid leave following the newborn(s) discharge from the hospital even if their FMLA benefits have been exhausted. This bill clarifies that school district employees are entitled to the same unpaid leave.