



SPONSOR: Rep. Brady & Rep. Lynn & Sen. Walsh
Reps. Carson, Kowalko, Osienski; Sen. Ennis

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 79

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEES' PENSION PLAN.

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

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

§ 5522. Eligibility for service pension.

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

(6) The employee has 25 years of credited service, exclusive of service credited under ~~§ 5501(d)(4), (5), and (12)~~ § 5501(e)(4), (5), and (12) of this title, regardless of age, and is a 9-1-1 operator. The employee must have 25 years of credit service as a 9-1-1 operator.

Section 2. Amend § 5527 of Title 29 by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5527. Amount of ordinary service or disability pension.

(a) The amount of the monthly service or disability pension payable to an employee or former employee shall be the sum of 2.0% of the employee's ~~his or her~~ final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's ~~his or her~~ period of credited service prior to January 1, 1997, plus 1.85% of the employee's ~~his or her~~ final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's ~~his or her~~ period of credited service after December 31, 1996. If the employee is a ~~correction officer or specified peace officer~~ correction officer, specified peace officer, or 9-1-1 operator, then the amount of pension would also include 2.45% of the employee's ~~his or her~~ final average compensation multiplied by years of service above 25 years. The amount payable to a participant who does not make the additional contribution provided in § 5501(j) of this title for years of credited service before 1977 shall be the sum of 2.0% of the employee's ~~his or her~~ final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's ~~his or her~~ period of credited service between January 1, 1977, and December 31, 1996, plus 2.0% of the employee's ~~his or her~~ final average compensation

23 multiplied by the number of years, taken to the nearest twelfth of a year, in the employee's ~~his or her~~ period of credited
24 service prior to January 1, 1977, provided that the maximum amount based on the service before 1977 is \$1,000, plus
25 1.85% of the employee's ~~his or her~~ final average compensation multiplied by the number of years, taken to the nearest
26 twelfth of a year, in the employee's ~~his or her~~ period of credited service after December 31, 1996.

SYNOPSIS

This Act provides that the amount of ordinary or disability pension payable to a 9-1-1 operator includes 2.45% of the 9-1-1 operator's final average compensation multiplied by years of service above 25 years, the same multiplier as applied to corrections officers and specified peace officers.

This Act also makes technical corrections to conform existing language to the standards of the Delaware Drafting Manual.