SPONSOR: Rep. Schwartzkopf & Rep. Longhurst & Rep. Minor-Brown & Rep. Mitchell & Sen. Ennis & Sen. Paradee
Reps. Briggs King, Carson, Gray, Hensley, Morrison, Osienski, Ramone, D. Short, Michael Smith, Smyk, Spiegelman, Yearick; Sens. Hansen, Lawson, Lopez, Pettyjohn, Sokola, Walsh, Wilson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 80
AS AMENDED BY
HOUSE AMENDMENT NO. 1

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

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

Section 1. Amend Chapter 55, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5501. Definitions.

(k) "Specified peace officer" shall mean:

(1) Probation and parole officers and classifications in the Probation and Parole occupational series up to and including the Probation and Parole Director employed by the Department of Corrections;

(2) Capitol police officers;

(3) Department of Natural Resources police officers;

(4) University of Delaware Police;

(5) Delaware State University Police;

(6) State Fire Marshal officers;

(7) Division of Alcohol and Tobacco Enforcement agents and classifications in the Alcohol and Tobacco Enforcement Agents occupational series up to and including the Director of Alcohol and Tobacco Enforcement;

(8) Delaware State Police Drug Diversion Unit agents;

(8) Justice of the Peace Court constables; and

(9) Probation and parole officers in the Serious Juvenile Offender Unit and senior probation officers employed by the Division of Services for Children, Youth, and their Families.

§ 5527 Amount of ordinary service or disability pension [For application of this section, see 79 Del. Laws, c. 315, § 10]

HD : NSW : MAW : 2141510041
LC : HVW : NMX : 5081510103
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(a)(1) The amount of the monthly service or disability pension payable to an employee or former employee shall be the sum of 2.0% of his or her final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in his or her period of credited service prior to January 1, 1997, plus 1.85% of his or her final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in his or her period of credited service after December 31, 1996. ~~If the employee is a correction officer or specified peace officer then the amount of pension would also include 2.45% of 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 his or her final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in his or her period of credited service between January 1, 1977, and December 31, 1996, plus 2.0% of his or her final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in his or her period of credited service prior to January 1, 1977, provided that the maximum amount based on the service before 1977 is $1,000, plus 1.85% of his or her final average compensation multiplied by the number of years, taken to the nearest twelfth of a year, in his or her period of credited service after December 31, 1996.

(2) If the employee is a correction officer or a specified peace officer then the amount of pension shall also include the following:

a. For years of service before December 31, 2021, 2.45% of his or her final average compensation multiplied by years of service above 25 years.

b. For years of service on or after January 1, 2022, 2.5% of his or her final average compensation multiplied by the number of years of service for up to 20 years, plus 3.5% of his or her final average compensation multiplied by the number of years of service above 20 years.

Section 2. Amend Chapter 55, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5543. Employee contributions.

(a)(1) Effective January 1, 1998, employee contributions to the Fund shall be 3% of total annual compensation in excess of $6,000 provided, however, that post-2011 employees will pay an employee contribution rate of 5% of total annual compensation in excess of $6,000. In no event shall total compensation during any calendar year in excess of $6,000 be exempt from contributions.

(2) The employee contribution for a correction officer or specified peace officer shall be ~~5%~~ 7% of annual compensation ~~in excess of $6,000 provided, however, that a correction officer or specified peace officer who is also a post-2011 employee will pay an employee contribution rate of 7% of annual compensation in excess of $6,000~~.

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