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

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 79
AS AMENDED BY
HOUSE AMENDMENT NO. 1

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 then the amount of pension would also include 2.45% of ~~his or her~~ the employee's final average compensation multiplied by years of service above 25 years. If the employee is a 9-1-1 operator, then the amount of pension would also include 2.45% of the employee's 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

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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 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, 1977, provided that the maximum amount based on the service before 1977 is $1,000, 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.