SPONSOR: Rep. Morrison & Rep. Bush & Sen. Gay
Reps. Baumbach, Lambert, Osienski, Ramone, Wilson-Anton, Yearick; Sens. Hansen, Sokola

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 319
AS AMENDED BY
HOUSE AMENDMENT NO. 3

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PROHIBITIONS ON NEPOTISM IN STATE EMPLOYMENT.

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

Section 1. Amend Chapter 58, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by strike through as follows:

§ 5806A. Prohibitions on nepotism.

(a) By [30 days after the effective date of this Act], the Department of Human Resources shall implement a policy for application to all executive branch agencies that contains the following prohibitions:

(1) A state employee, state officer, or honorary state official may not serve as the direct supervisor of a relative.

(2) A state employee, state officer, or honorary state official may not be directly involved in or attempt to influence state agency decision-making with respect to the hiring or promotion of a relative.

(b) By [60 days after the effective date of this Act], the General Assembly, the judicial branch, and elected state officers shall develop a policy prohibiting nepotism in employment in the legislative and judicial branch, as well as any office or agency led by an elected state officer.

(c) Whenever a substantive change is proposed to the Department of Human Resources policy required under subsection (a) of this section, the Department of Human Resources must provide at least 60 days' notice to the General Assembly prior to implementation of the change. Notice shall be made by delivery of the proposed change to the Secretary of the Senate, the Chief Clerk of the House, and the Director of the Division of Research.

(d) As used in this section, "relative" means any of the following:

(1) A person's spouse or domestic partner.

(2) A person's parent, stepparent, or child.

(3) The parent, stepparent, or child of a person's spouse or domestic partner.

(4) A person's grandparent or grandchild.

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(5) A person's sibling.

(6) The spouse of a person's child.

(7) A minor child for whom the person has assumed and carried out parental responsibilities.