151st GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**SENATE BILL NO. 123**
SPONSOR:	**Senator Poore**
DESCRIPTION:	**AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION BENEFITS.**

Assumptions:

1. This Act becomes effective upon signature by the Governor.

2. This Act allows for spouses receiving a State of Delaware Survivor Benefit to continue receiving this benefit for the remainder of their lives regardless of future marital status.

3. This Act modifies the existing benefit payment received by surviving spouses following remarriage from a two-year, lump-sum payout to a revised survivor benefit payment of 90% of the original, weekly benefit amount for the first ten years and 75% of the original, weekly benefit each year thereafter.

4. There are currently eleven (11) open cases of surviving spouses who qualify for survivor benefits. The Department of Human Resources (DHR) estimates the long-term survivor benefit to be paid according to a life expectancy age of eighty-one years, however, payments do continue for all spouses who exceed the designated life expectancy.

5. The DHR further estimates that based on trends and available data, roughly 20% of surviving spouses, or 2 open cases, will remarry. The total estimated cost for all open cases, for one year under this Act is $198,070, with 20% representing $39,614 in payments. The two-year, lump-sum payment the State would have made to surviving spouses that are assumed to remarry fully offsets the continuance of annual payments made by this Act for Fiscal Years 2022 and 2023.

6. This analysis assumes no growth in the number of spouses who would become eligible.

Cost to the Worker's Compensation Fund:

Fiscal Year 2022:	Not Applicable
Fiscal Year 2023:	Not Applicable
Fiscal Year 2024:	$39,614

Prepared by Victoria Brennan
Office of the Controller General