



151st GENERAL ASSEMBLY
FISCAL NOTE

BILL: HOUSE BILL NO. 225
SPONSOR: Representative Morrison
DESCRIPTION: AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO PAID TIME OFF TO VOTE.

Assumptions:

1. This Act becomes effective upon signature by the Governor. Upon signature, provisions affecting private employers take effect upon promulgation of regulations adopted by the Department of Labor, or 6 months after enactment, whichever occurs first. Provisions affecting public employers are effective upon signature.
2. This Act requires private and public employers in the State to give any employee who is scheduled to work at least 8 hours on an election day, 2 hours of paid leave in order for the employee to exercise the right to vote.
3. For the purposes of this bill "election" means any municipal, county, state, or federal general election, political primary election, or public-school election held in Delaware.
4. Upon implementation, state agencies will accrue overtime costs due to required coverage for those employees taking leave who are employed in agencies providing 24/7 services including Delaware State Police, Department of Correction, Department of Natural Resources and Environmental Control, Capitol Police, and the State's long-term care facilities.
5. This analysis assumes one election per year that an employee could vote, two in a general election year.
6. This analysis assumes an average 40% voter participation among state employees in the various elections and also assumes 40% of employees who vote will take advantage of the leave, resulting in a projected overtime cost of \$37,828 in a non-general election year and \$75,657 in a general election year.
7. The Department of Labor is charged with administration and enforcement of the provisions of this Act as applied to private employers. The Department estimates the need for 1.0 FTE, Labor Law Enforcement Officer, to enforce these provisions. Estimated annual personnel costs associated with this position are \$67,553, including other employment costs. Fiscal Year 2022 costs assume 9 months of personnel costs at \$50,665.

Cost:

Fiscal Year 2022: \$88,493
Fiscal Year 2023: \$143,209
Fiscal Year 2024: \$105,381

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Office of the Controller General