SPONSOR: Rep. Atkins
Reps. Schwartzkopf, Carson, Gilligan, Q. Johnson, Kowalko, Mitchell, Mulrooney

HOUSE OF REPRESENTATIVES
145th GENERAL ASSEMBLY

HOUSE BILL NO. 487

AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS

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

Section 1. Amend § 302, Title 9 of the Delaware code by inserting a new subsection "(g)" reading as follows:

"(g). No county government shall require a former employee of a county, who later is elected or appointed to a statutorily defined County office, to give up the former employee's right to receive vested pension benefits from the county, except that the former employee shall be ineligible for additional years of service or additional vested pension benefits, unless the former employee chooses to forego receipt of the former employee's retirement benefits during the term of elected or appointed office.".

SYNOPSIS

This Act prohibits County governments from requiring elected or appointed officials to waive their right to receive previously vested County pension benefits upon their election or appointment to office. This Act provides, however, that a former County employee who does not choose to give up previously vested County pension benefits shall not be eligible for additional years of service or additional vested pension benefits.

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