151st GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 288**
SPONSOR:	**Representative Morrison**
DESCRIPTION:	**AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYER PAID TIME OFF TO VOTE.**

Assumptions:

1. This Act becomes effective upon signature by the Governor. Upon signature, provisions affecting employers take effect upon promulgation of regulations adopted by the Department of Labor or six months after enactment, whichever occurs first.
2. This Act requires 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 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 Services for Children, Youth and their Families, Department of Natural Resources and Environmental Control, Capitol Police, and the State's long-term care facilities.
5. This analysis assumes that an employee could vote in one election per year, 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 $48,381 in a non-general election year and $96,762 in a general election year.
7. The Department of Labor is charged with the administration and enforcement of the provisions of this Act. The Department estimates the need for 1.0 FTE, Labor Law Enforcement Officer, to enforce these provisions. The estimated annual personnel costs of this position are $69,426, including other employment costs. Fiscal Year 2023 costs assume nine months of personnel costs at $52,069.

Cost:

Fiscal Year 2023	$148,831
Fiscal Year 2024	$117,806
Fiscal Year 2025	$166,187

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Office of the Controller General