SPONSOR: Rep. J. Johnson & Sen. Ennis
Reps. Briggs King, Smyk

DELAWARE HOUSE OF REPRESENTATIVES

149th GENERAL ASSEMBLY

HOUSE BILL NO. 43
AS AMENDED BY
HOUSE AMENDMENT NO. 1
AND
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS.

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

Section 1. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5522. Eligibility for service pension [Effective Jan. 1, 2017, until Jan. 1, 2019]

(a) An employee shall become eligible to receive a service pension, beginning with the month after the employee has terminated employment, if:

(5) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12) of this title, regardless of age, and is a ~~correction officer~~ Department of Correction employee. The employee must have 20 years of credited service as a correction officer.

Section 2. Amend § 5522, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5522. Eligibility for service pension [Effective Jan. 1, 2019]

(a) An employee shall become eligible to receive a service pension, beginning with the month after the employee has terminated employment, if:

(5) The employee has 25 years of credited service, exclusive of service credited under § 5501(e)(4), (5) and (12) of this title, regardless of age, and is a ~~correction officer~~ Department of Correction employee or a specified peace officer. The employee must have 20 years of credited service as a correction officer or specified peace officer.

Section 3. Amend §5501, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(k) “Specified peace officer” shall mean:

HD : WGB : TEH : 1031490074
LC: DIG : 5971490060

(1) Probation and parole officers and classifications in the Probation and Parole occupational series up to and including the Probation and Parole Director employed by the Department of Corrections;

(2) Capitol police officers;

(3) Department of Natural Resources police officers;

(4) University of Delaware Police;

(5) State Fire Marshal officers;

(6) Division of Alcohol and Tobacco Enforcement agents and classifications in the Alcohol and Tobacco Enforcement Agents occupational series up to and including the Director of Alcohol and Tobacco Enforcement;

(7) Justice of the Peace Court constables; and

(8) Probation and parole offices in the Serious Juvenile Offender Unit and senior probation offices employed by the Division of Services for Children, Youth and their Families.

Section 4. This Act shall take effect on January 1, 2018.