SPONSOR: Rep. Jaques & Sen. Ennis
Reps. Brady, Mitchell

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 229
AS AMENDED BY
HOUSE AMENDMENT NO. 1
AND
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATED TO UNUSED SICK LEAVE UPON SEPARATION OF SERVICE.

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

Section 1. Amend § 1318, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and redesignating accordingly:

§ 1318 Sick leave and absences for other reasons; accumulation of annual leave.

(g) An employee retired subsequent to June 1, 1969, after serving in covered employment under Chapter 55 of Title 29, shall, on retirement, be paid for each unused sick leave day, not to exceed 90 days. The total amount paid shall be based upon that portion of the salary computed in accordance with state schedules, regardless of the source of funding, and shall be based upon 50 percent of the per diem rate of pay in effect at the time of retirement. Effective July 1, 1986, in the event of the death of a teacher or other school employee, payment shall be made to that teacher's or other school employee's estate at the rate of 1 day's pay for each day of unused sick leave not to exceed 90 days. Effective July 1, 1991, for school employees of the Department of Education and school district boards of education the per diem rate shall be 1/185 in the fiscal year beginning July 1, 1999; 1/187 in the fiscal year beginning July 1, 2000; 1/188 for the fiscal year beginning July 1, 2001; and each succeeding fiscal year, of the annual salary based on state salary schedule for those employed 10 months; for those employed 11 months the per diem rate shall be 1/204 in the fiscal year beginning July 1, 1999; 1/206 in the fiscal year beginning July 1, 2000; 1/207 for the fiscal year beginning July 1, 2001; and each succeeding fiscal year, of the annual salary based on state salary schedule; and for those employed 12 months, the per diem rate shall be 1/222 of the annual salary based on state salary schedule. The local employing agency shall certify the number of days to which the employee shall be entitled. <u>This section also applies to retired Delaware State Police who return to state service as a teacher or other school employee, and who otherwise meet the eligibility requirements for retirement under the Delaware State Employees' Pension Plan to the extent such person did not utilize the 75 day maximum following retirement from the Delaware State Police.</u>

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