153rd GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 128**
SPONSOR:	**Representative Heffernan**
DESCRIPTION:	**AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM.**

Assumptions:

1. This Act becomes effective upon signature by the Governor.

2. This Act provides that the Paid Family Medical Leave (PFML) Insurance Program is the primary payor, with other leave benefits coordinated with this benefit.

3. This Act allows disability insurance benefits to be offset by family and medical leave benefits paid to an employee pursuant to the terms of a disability insurance policy.

4. This Act clarifies that an employer that meets its obligations through a private plan is not required to provide claim documentation to the Department of Labor (Department) except if there is an appeal, inquiry, or audit.

5. Additionally, this Act establishes a Paid Leave Advisory Committee to review issues related to implementation and administration of the Paid Family and Medical Leave Insurance Program.

6. This Act requires the Department to update its Delaware LaborFirst portal system to implement the provisions of this Act. The Department estimates the one-time cost of this update to be approximately $184,000.

7. The Department believes that the provisions of this Act may increase claim payouts, which will increase liability to the PFML fund. The claims payout impact is indeterminable at this time.

Cost:

	One-Time
Fiscal Year 2026:	$184,000
Fiscal Year 2027:	-
Fiscal Year 2028:	**-**

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