SPONSOR: Rep. Briggs King & Rep. Hudson & Sen. Hocker
Reps. Keeley, Outten, Spiegelman, K. Williams, Yearick;
Sen. Bonini, Pettyjohn

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

# HOUSE BILL NO. 73

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE COMPENSATION POLICY.

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

Section 1. Add a new Section to Title 29 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 5824. Disclosure Audit

(a) Any person serving as a paid elected or paid appointed official of this State, or any county or political subdivision of this State, who is also employed by any state agency, state education entity, or other state institution, or any other political subdivision of this State shall disclose this fact to the Public Integrity Commission within 15 days after the commencement of dual compensation as described in this section. The disclosure shall be made in a format prescribed by the Commission and shall include such information as is necessary for the Public Integrity Commission to determine that sufficient measures or circumstances are in place to avoid dual compensation for coincident hours of work. After the initial filing, the paid elected or paid appointed official has no continuing duty to report, except that they shall report to the Commission within 15 days after their receipt of dual compensation ends, or the employing entities change.

(b) The Public Integrity Commission may request an audit by the State Auditor for any person believed to be in receipt of dual compensation for coincident hours of work.

(c) Any person found to have received dual compensation for coincident hours of work in violation of this subchapter shall have such information reported to each employer for corrective action pursuant to each employer's applicable policies, regulations, rules, laws, or ordinances.

(d) Nothing in this section shall relieve a Public Officer, as defined in 29 Del.C. § 5812(n), of their obligation to file an annual Financial Disclosure statement with the Public Integrity Commission pursuant to 29 Del.C. § 5813.

Section 2. This Act becomes effective 12 months after its enactment into law.

## SYNOPSIS

This bill requires an elected official or other paid appointed official of this state or any county or political subdivision who is also employed by any state agency, education, or other institution, or any other political subdivision of this State to disclose such employment to the Public Integrity Commission (PIC). This disclosure will assist the PIC and the State Auditor in evaluating if the official is receiving dual compensation for coincident hours of work.



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