

LAWS OF DELAWARE  
VOLUME 85  
CHAPTER 121  
153rd GENERAL ASSEMBLY  
FORMERLY  
SENATE BILL NO. 136

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE STATE EMPLOYEES' PENSION PLAN.

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

Section 1. Amend § 5527, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5527. Amount of ordinary service or disability pension.

(d) (1) Notwithstanding provisions of this chapter to the contrary, an elected official shall receive a pension computed in accordance with this subsection. The service or disability pension payable to the elected official and the survivor's pension payable to the eligible survivor of such individuals shall be computed on the basis of compensation to the elected official as an elected official irrespective of other credited service, with contribution to be determined based upon compensation as an elected official. The minimum amount of pension payable to ~~an elected member of the General Assembly or a retired elected an~~ individual elected to be a member of the General Assembly before February 28, 2025, shall be computed by multiplying the elected official's years of service as an elected member of the General Assembly times the highest rate of payment being paid to any retired member of the General Assembly, such rate to be computed by dividing the monthly pension being paid to such retired member by the elected official's years of service as an elected member of the General Assembly. The pension payable to an individual elected to be a member of the General Assembly on or after February 28, 2025, shall be computed under § 5527(a)(1) of this section. An elected official elected prior to January 1, 2012, shall be eligible to receive a pension beginning with the first month after the attainment of age 60, provided that the elected official shall have served at least 5 years at the time of the elected official's termination of service as an elected official, or beginning with the first month after attainment of age 55, provided that the elected official shall have served at least 10 years at the time of the elected official's termination of service as an elected official. An elected official elected on or after January 1, 2012, shall be eligible to receive a pension beginning with the first month after the attainment of age 60, provided that the elected official shall have served at least 20 years at the time of the elected official's termination of service as an elected official, or beginning with the first month after attainment of age 65, provided that the elected official shall have served at least 10 years at the time of the elected official's termination of service as an elected official. Any pension for credited service other than as an elected official shall be determined under the remainder of this chapter as a separate pension.

Approved July 30, 2025