



SPONSOR: Rep. Buckworth & Sen. DeLuca;
Reps. Lee, Quillen, B. Ennis, Lofink,
Oberle, Viola, Wagner; Sen. Bonini

HOUSE OF REPRESENTATIVES

142nd GENERAL ASSEMBLY

HOUSE BILL NO. 87

AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO THE PAYMENT OF DISABILITY BENEFITS FOR POLICE OFFICERS COVERED IN THE STATE EMPLOYEES PENSION PLAN.

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

1 Section 1. Amend § 5526 (c), Chapter 55, Title 29 of the Delaware Code by redesignating said subsection as new
2 Subsection (d) and by adding a new subsection designated as Subsection (c) to read as follows:

3 “(c) Any disability pensioner who was employed as a ‘police officer’ as defined in § 8401(5) of Title
4 11, Delaware Code or employed as an officer of the Capitol Police who has not attained age 60 shall report to the
5 Board by April 30th each year, in a form prescribed by the Board, their total earnings from any gainful
6 occupation or business in the preceding calendar year. The excess of such earnings over the annual rate of
7 compensation, adjusted annually for any increase in the total ‘Median Usual Weekly Earnings’ as published by
8 the U. S. Department of Labor, received at the time of the disability shall be deducted from their disability
9 pension during the 12 months beginning in July of the year following the calendar year for which the earnings
10 are reported, in a manner determined by the Board. If any person received a disability pension for less than 12
11 months in the calendar year for which earnings are reported, the deduction, if any, shall be determined on a pro-
12 rata basis.”.

SYNOPSIS

This Bill allows a disability pensioner who was employed as a police officer to earn up to their previous amount of salary without any reduction in their disability pension benefits.