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DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE BILL NO. 326

JUNE 12, 2024

AN ACT MAKING A ONE-TIME SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING  
JUNE 30, 2025 TO THE OFFICE OF MANAGEMENT AND BUDGET.

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

1        **Section 1.** There is hereby appropriated \$168,362,517 (One Hundred Sixty-Eight Million, Three Hundred  
2        Sixty-Two Thousand, Five Hundred Seventeen Dollars) in General Funds to Executive, Office of Management  
3        and Budget, Contingencies and One-Time Items (10-02-11) for the following purposes:

4	(01-08-02)	Technology	\$2,000,000
5	(02-03-10)	Board of Canvass	\$80,000
6	(02-03-10)	Permit to Purchase	\$30,600
7	(02-06-10)	Equipment	\$16,900
8	(02-08-10)	Equipment	\$34,100
9	(10-02-11)	ERP Cloud Migration	\$1,243,200
10	(10-02-11)	State Fleet Electric Vehicles	\$250,000
11	(10-02-11)	Trauma Informed Services Contingency	\$2,200,000
12	(10-02-11)	Gubernatorial Transition	\$325,000
13	(10-02-11)	Criminal Justice Systems Programming Updates	\$505,100
14	(10-02-11)	Post-Retirement Increase Supplement – FY25	\$51,000,000

15	(10-02-32)	Other Post-Employment Benefits	\$56,067,167
16	(10-02-50)	Sign Replacement	\$300,000
17	(10-07-01)	Technology	\$200,000
18	(10-07-01)	Equipment	\$4,000
19	(10-07-02)	Permit to Purchase	\$226,300
20	(12-03-01)	Insurance Revenue Shortfall	\$3,200,000
21	(12-05-06)	Delaware EARNs	\$300,000
22	(15-02-02)	Equipment	\$3,800
23	(15-02-02)	Equipment	\$9,900
24	(16-01-01)	Records Digitization	\$270,000
25	(35-02-01)	Medicaid	\$10,443,700
26	(35-02-01)	Medicaid Technology Contingency – HS2 for HB110	\$250,000
27	(35-02-01)	Medicaid Technology Contingency – SS1 for SB13	\$87,500
28	(35-05-10)	Equipment Contingency – HB124	\$14,450
29	(35-05-20)	Residential Lead Remediation	\$2,500,000
30	(35-05-20)	Childhood Lead Poisoning Prevention	\$1,000,000
31	(35-05-30)	Equipment	\$62,000
32	(35-06-30)	Technology	\$368,500
33	(35-07-01)	Child Care Contingency	\$15,000,000
34	(35-09-01)	Health Care Licensing Surveys	\$207,700
35	(37-01-50)	Security and Safety Equipment	\$140,700
36	(38-01-02)	Equipment	\$6,700
37	(38-01-03)	Prison Research Innovation Network	\$105,500
38	(38-04-01)	Equipment	\$201,700
39	(38-04-01)	Security and Safety Equipment	\$444,700
40	(38-04-04)	Renovation	\$100,900
41	(38-04-04)	Equipment	\$83,300
42	(38-04-06)	Renovation	\$69,000

43	(38-04-20)	Kitchen Equipment	\$275,300
44	(38-06-13)	Security and Safety Equipment	\$13,500
45	(40-01-07)	Special Fund Revenue Contingency	\$2,500,000
46	(40-03-03)	Hunting Enforcement	\$97,700
47	(40-04-03)	Non-Tidal Wetlands Study	\$150,000
48	(40-04-05)	Equipment	\$21,200
49	(45-02-10)	Equipment	\$83,500
50	(45-02-10)	Security and Safety Equipment	\$92,400
51	(45-04-10)	Equipment	\$28,800
52	(45-06-08)	Permit to Purchase	\$1,560,300
53	(65-01-01)	Veterinary Analysis	\$45,000
54	(70-01-01)	Early Voting Contingency	\$2,949,600
55	(70-01-01)	Primary and General Elections	\$1,476,400
56	(70-01-01)	Voting Machine Equipment	\$1,318,400
57	(70-01-01)	Voting Machine Battery Replacement	\$271,400
58	(70-02-01)	Specialty Vehicle	\$80,000
59	(70-02-01)	Primary and General Elections	\$2,818,500
60	(70-03-01)	Specialty Vehicle	\$80,000
61	(70-03-01)	Primary and General Elections	\$1,533,300
62	(70-04-01)	Specialty Vehicle	\$80,000
63	(70-04-01)	Primary and General Elections	\$1,686,800
64	(75-01-01)	Security and Safety Equipment	\$36,000
65	(75-01-01)	Technology	\$80,000
66	(75-03-01)	Equipment	\$37,000
67	(95-02-02)	School Cell Phone Pilot Program	\$250,000
68	(95-03-20)	School-Based Behavioral Health Technology	\$1,200,000
69	(95-03-20)	Pre-K Summer Tutoring Pilot Program	\$245,000

70           **Section 2.** Section 1 of this Act appropriates \$250,000 to Executive, Office of Management and Budget,  
71 Contingencies and One-Time Items (10-02-11) for State Fleet Electric Vehicles. The expenditure of these funds  
72 shall be contingent upon the passage of House Bill 9 or similar legislation of the 152nd General Assembly.

73           **Section 3.** Section 1 of this Act appropriates \$505,100 for Criminal Justice Systems Programming Updates to  
74 Executive, Office of Management and Budget, Contingencies and One-Time Items (10-02-11). The expenditure of  
75 these funds shall be used for updates to various criminal justice systems that require one-time enhancements,  
76 modifications, or programming changes based on the requirements of legislation enacted by the General Assembly.

77           **Section 4.** Section 1 of this Act appropriates \$56,067,167 to Executive, Office of Management and Budget,  
78 Pensions (10-02-32) for Other Post-Employment Benefits. In accordance with 29 Del. C. § 5544 (c) (2), the Director  
79 of Office of Management and Budget shall transfer these funds to the Other Post-Employment Benefits Fund as  
80 established by 29 Del. C. § 5281.

81           **Section 5.** Section 1 of this Act appropriates \$4,000 for Equipment to Executive, Criminal Justice, Criminal  
82 Justice Council (10-07-01). The expenditure of these funds shall be contingent upon the passage of House Bill 340  
83 or similar legislation of the 152nd General Assembly.

84           **Section 6.** Section 1 of this Act appropriates \$9,900 for Equipment to Legal, Office of Defense Services,  
85 Public Defender (15-02-02). The expenditure of these funds shall be contingent upon the passage of House Bill 86  
86 or similar legislation of the 152nd General Assembly.

87           **Section 7.** Section 1 of this Act appropriates \$250,000 to the Department of Health and Social Services,  
88 Division of Medicaid and Medical Assistance, Medicaid and Medical Assistance (35-02-01) for Medicaid  
89 Technology. The expenditure of these funds shall be contingent upon the passage of House Substitute 2 for House  
90 Bill 110 or similar legislation of the 152nd General Assembly.

91           **Section 8.** Section 1 of this Act appropriates \$87,500 to the Department of Health and Social Services,  
92 Division of Medicaid and Medical Assistance, Medicaid and Medical Assistance (35-02-01) for Medicaid  
93 Technology. The expenditure of these funds shall be contingent upon the passage of Senate Substitute 1 for Senate  
94 Bill 13 or similar legislation of the 152nd General Assembly.

95           **Section 9.** Section 1 of this Act appropriates \$14,450 to the Department of Health and Social Services,  
96 Division of Public Health, Director's Office/Support Services (35-05-10) for Equipment. The expenditure of these  
97 funds shall be contingent upon the passage of House Bill 124 or similar legislation of the 152nd General Assembly.

98           **Section 10.** Section 1 of this Act appropriates \$1,000,000 to the Department of Health and Social Services,  
99 Public Health, Community Health (35-05-20) for implementing the Childhood Lead Poisoning Prevention Advisory  
100 Committee recommendations.

101           **Section 11.** Section 1 of this Act appropriates \$6,700 for Equipment to the Department of Correction,  
102 Administration, Human Resources (38-01-02). The expenditure of these funds shall be contingent upon the passage  
103 of Senate Substitute 1 for Senate Bill 164 or similar legislation of the 152nd General Assembly.

104           **Section 12.** Section 1 of this Act appropriates \$150,000 to the Department of Natural Resources and  
105 Environmental Control (DNREC), Division of Water (40-04-03) for a Non-Tidal Wetlands Study. The expenditure  
106 of these funds shall be used to provide contractual support to lead a collaborative stakeholder process, which shall  
107 include those engaged in the current wetlands stakeholder working group, to complete a programmatic review and  
108 feasibility study, and to develop guidelines and the permitting process for a comprehensive, combined tidal and  
109 nontidal wetland program as recommended in the Senate Joint Resolution 2, of the 151st General Assembly, Report  
110 to the Governor and Legislature, prepared by DNREC, September 29, 2023.

111           **Section 13.** Section 1 of this Act appropriates \$28,800 for Equipment to the Department of Safety and  
112 Homeland Security, Division of Alcohol and Tobacco Enforcement (45-04-10). The expenditure of these funds shall  
113 be contingent upon the passage of Senate Bill 166 or similar legislation of the 152nd General Assembly.

114           **Section 14.** Section 1 of this Act appropriates \$10,464,600 to the Department of Elections. Any funds  
115 remaining after election expenses may be used by the Department of Elections for one-time initiatives upon  
116 approval from the Director of the Office of Management and Budget and the Controller General. These funds shall  
117 not revert to the General Fund.

118           **Section 15.** Section 1 of this Act appropriates \$250,000 to the Department of Education, District and  
119 Charter operations, Other Items (95-02-02) for a School Cell Phone Pilot Program. These funds shall be used to  
120 establish a voluntary school cell phone pouch pilot program for local education agencies serving students in grades  
121 6-12 to provide technology solutions that reduce the usage of cell phone distractions during learning hours. The  
122 Department of Education shall establish an application and disbursement process for the program and shall provide a  
123 report to the Co-Chairs of the Joint Finance Committee, the Controller General, and the Director of the Office of  
124 Management and Budget on the number of applicants, expenditure of funds, and related performance metrics, such  
125 as changes in school climate, academic performance, etc. as a result of the program by May 1, 2025.

126           **Section 16.** Section 1 of this Act appropriates \$1,200,000 to the Department of Education, Pass Through and  
127 Other Support Programs, Special Needs Programs (95-03-20) for School-Based Behavioral Health Technology. The  
128 expenditure of these funds shall be contingent upon passage of House Substitute 1 for House Bill 5 or similar  
129 legislation of the 152nd General Assembly. Prior to the expenditure of these funds, the Department of Education  
130 shall pursue any federal funding opportunities in lieu of these funds. Should federal funds become available, the  
131 funds appropriated under Section 1 of this Act may be reallocated upon approval from the Joint Finance Committee  
132 Co-Chairs, the Director of the Office of Management and Budget, and the Controller General.

133           **Section 17.** Section 1 of this Act appropriates \$245,000 to the Department of Education, Pass Through  
134 Programs, Special Needs Programs (95-03-20) for Pre-K Summer Tutoring Pilot Program. The Department of  
135 Education is authorized to transfer the funds to the Red Clay Consolidated School District to manage this program.  
136 Notwithstanding 29 Del. C. c. 69, the Red Clay Consolidated School District is authorized to execute a contract for  
137 services with Reading Assist to pilot this program.

138           **Section 18.** Section 1 of 83 Del. Laws c. 326 appropriated \$8,730,000 in UCS Server Replacements to  
139 Executive, Office of Management and Budget, Contingencies and One-Time Items (10-02-11). These funds shall be  
140 reprogrammed to ERP Cloud Migration for modernizing the State’s Enterprise Resource Programs.

141           **Section 19.** (a) Amend §5532, Chapter 55, Title 29, Delaware Code, by making deletions as shown by strike  
142 through and insertions as shown by underline as follows:

143           § 5532. Increases in pensions

144           (s) Any monthly service, disability, and survivor pension based on a former service or disability pension  
145 that was effective on or before June 30, 2004, and is payable on July 1, 2024, shall be increased effective  
146 July 1, 2024, by 2%. Any monthly service, disability, and survivor pension based on a former service or  
147 disability pension that was effective on or before June 30, 2019, but after June 30, 2004, and is payable on  
148 July 1, 2024, shall be increased effective July 1, 2024, by 1%. These increases shall continue to be paid  
149 through June 30, 2025, and every fiscal year thereafter, provided that funds are appropriated by the General  
150 Assembly in accordance with § 5544 of this title.

151           (b) The increases provided by this Act shall not apply to pensions awarded under §5527(d)(1), Chapter 55,  
152 Title 29, Delaware Code.

153 (c) Amend §5544, Chapter 55, Title 29, Delaware Code, by making deletions as shown by strike through  
154 and insertions as shown by underline as follows:

155 § 5544. Actuarial valuations and appropriations.

156 (u) (1) The State’s obligation to the State Employees’ Pension Plan, the State Judiciary Retirement Fund,  
157 and the New State Police Retirement Fund to implement the provisions of §5532(s) of this Chapter shall be  
158 funded through the appropriation contained in the Fiscal Year 2025 One-Time Supplemental  
159 Appropriations Act for “Post Retirement Increase Supplement - FY 25” and through the Post Retirement  
160 Fund established in §5548 of this title.

161 (2) The State’s obligation to the Special Pension Fund authorized by Volume 61, Chapter 455, Laws of  
162 Delaware, to implement the provisions of §5532(s) of this title shall be treated as an actuarial loss during  
163 the next actuarial valuation process of the Special Pension Fund.

#### SYNOPSIS

This Act appropriates \$168,362,517 to provide one-time funded projects through the Office of Management and Budget.

Author: Joint Finance Committee