

# DEPARTMENT OF FINANCE

## DIVISION OF REVENUE

Statutory Authority: 16 Delaware Code, Section 10224A (16 Del.C. §10224A)

### GENERAL NOTICE

#### NOTICE

#### Implementation Date of House Substitute No. 2 for House Bill No. 160 relating to 988 Behavioral Health Crisis Intervention Services

November 16, 2023

#### SENT VIA E-MAIL

Yvette Smallwood  
Registrar of Regulations  
Division of Research  
411 Legislative Avenue  
Dover, DE 19901

Dear Ms. Smallwood,

The House of Representatives and Senate of the Delaware General Assembly passed House Substitute No. 2 for House Bill No. 160 on June 20, 2023 and June 28, 2023, respectively. This Act received the constitutionally required vote. Section 11 of Article VIII of the Delaware Constitution requires the affirmative vote of three-fifths of the members elected to each house of the General Assembly to impose or levy a tax or license fee. Governor Carney signed this bill on August 16, 2023.

The legislation created the Behavioral Health Crisis Services Board ("Board") to provide oversight and input on the development of an integrated behavioral health crisis care system in the State of Delaware. It imposed a behavioral health crisis intervention services surcharge on business and residential telephone services, wireless telephone services, and prepaid wireless telephone services. The surcharge will create a dedicated funding source for behavioral health crisis services. The Behavioral Health Crisis Intervention Services Fund is created to receive the surcharge funds. The legislation established a 60-cent per month per line fee on phone lines and a 60-cent one-time fee on prepaid services. The Delaware State government is exempt from the behavioral health crisis intervention services surcharge.

Section 3 of the legislation states:

This Act takes effect on enactment and is to be implemented the earlier of the following:

- (1) Six months from the date of the Act's enactment.
- (2) The date of publication in the Register of Regulations of a notice of implementation by the Secretary of the Department of Finance.

Please accept this letter as a notice of implementation to publish in the Register of Regulations in accordance with Section 3 of House Substitute No. 2 for House Bill No. 160.

Sincerely,

Richard J. Geisenberger  
Secretary of Finance  
Department of Finance

27 DE Reg. 541 (01/01/24) (Gen. Notice)