

**OFFICE OF THE STATE TREASURER**  
**DIVISION OF CONTRIBUTIONS AND PLAN MANAGEMENT**  
Statutory Authority: 29 Delaware Code, Chapter 27 (29 **Del.C.** Ch. 27)

**GENERAL NOTICE**

**NOTICE**

**House Bill 205 as amended by House Amendment 3 - Delaware EARNs Act**

September 12, 2022

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

Ms. Smallwood,

The Delaware General Assembly introduced House Bill 205 as amended by House Amendment 3 on May 20, 2021. The legislation was subsequently passed by both chambers, in identical form, on June 21, 2022, and was ultimately signed by Governor John Carney on August 18, 2022. **(83 Del. Laws, c. 405.)**

The legislation establishes the Delaware Expanding Access for Retirement and Necessary Saving ("EARNs") program to serve as a vehicle through which eligible employees may, on a voluntary basis, provide for additional retirement security through a State-facilitated retirement savings program in a convenient, cost effective, and portable manner.

The legislation provides as follows:

*"Section 3. Section 1 of this Act takes effect following the date of publication in the Register of Regulations of a notice submitted by the State Treasurer that funding necessary to implement the Program, as reflected in the fiscal note, has been received from the General Assembly or other sources."*

On June 28, 2022, Senate Bill 250, the Fiscal Year 2023 Budget Bill was passed and signed into law by Governor John Carney. The State Treasurer has confirmed that the Fiscal Year 2023 Budget Bill includes the funding needed to implement the Delaware EARNs program.

Please accept this notification by the Office of the State Treasurer in order to publish the information in the Register of Regulations.

Sincerely,  
Colleen Davis  
State Treasurer  
Office of the State Treasurer

**26 DE Reg. 335 (10/01/22) (Gen. Notice)**