



SPONSOR: Rep. Viola & Sen. Poore
Rep. Paradee; Sens. Henry, Townsend

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 137

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS

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

1 Section 1. Amend § 4941, Title 15 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 4941. Residency of voter.

4 If a vote is objected to for the reason that the person is not a bona fide resident of the election district in whose
5 record that person's name appears, the following rules shall apply:

6 (1) If any person who has resided within this State actually moves outside this State with the intention of
7 remaining there for an indefinite time as a place of present domicile, such person shall lose that person's own
8 qualification of residence within the State, notwithstanding any floating intention that person may entertain to return at
9 some future time.

10 (2) A person registered to vote in the State who has moved from an address or residence located within 1
11 election district within the State to another address or residence within another elections district within the State shall
12 be permitted to vote ~~at the polling place where that person is registered to vote or~~ at the polling place for that person's
13 new residence or address.

SYNOPSIS

This bill eliminates the conflict between Section 2047, which requires a voter to vote at the polling place where he or she currently resides, and Section 4941, which enables a voter to vote where he or she formerly resided.