



SPONSOR: Rep. Yearick & Rep. Baumbach & Sen. Ennis
Reps. Brady, Briggs King, Hensley, Hudson, Miro,
Mitchell, D. Short, Viola; Sen. Sokola

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 403

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING IN MUNICIPAL ELECTIONS.

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

1 Section 1. Amend § 7572, Title 15 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 7572. Request for ballot; affidavits for absentee ballots; delivery of absentee ballots.

4 (a) An elector desiring to vote by absentee ballot in an election for which the elector is a qualified elector may
5 request an absentee ballot from the municipality where the elector is qualified to vote by filing a written affidavit with the
6 municipality no later than 12:00 noon the day before the election.

7 (b) An affidavit may be filed pursuant to this section by mailing it, delivering it, or causing it to be delivered to the
8 municipality where the elector is qualified to vote.

9 (c) Affidavits filed pursuant to this section shall:

10 (1) Indicate the election or elections for which the elector is requesting an absentee ballot;

11 (2) Include at least the following information:

12 a. The elector's name;

13 b. The address within the municipality at which the elector establishes eligibility to vote;

14 c. The address to which the elector requests that the absentee ballot be mailed;

15 d. The elector's date of birth;

16 e. The elector's expected location on election day;

17 f. The reason that the elector cannot appear at the regular polling place on the day of the election which
18 reason shall be any of the reasons listed in § 7571 of this title.

19 g. A telephone number, if available, to assist in resolving any challenge;

20 h. An e-mail address, if available, to assist in resolving any challenge; and

21 i. The elector's signature;

22 (3) Be subscribed and sworn to by the elector, ~~before an officer authorized by law to administer oaths~~
23 ~~affirming that under penalty of perjury, the information on the affidavit is correct and true except that the affidavit for a~~
24 ~~person voting in person at a municipality shall not be notarized but shall be accepted upon the voter presenting a form~~
25 ~~of ID acceptable by a notary.~~

26 ~~(d) Notwithstanding any other provision of this section to the contrary, the affidavit of any elector desiring to~~
27 ~~receive an absentee ballot because the person qualifies under any of the reasons set forth in § 7571(1), (2), (4) of this title or~~
28 ~~who qualifies to vote by absentee ballot as a nonresident of the municipality where such voting is allowed may be self-~~
29 ~~administered.~~

30 ~~(e)~~(d) The State Election Commissioner shall create an absentee affidavit template that municipalities shall use in
31 creating their own absentee affidavit by adding additional reasons that a person may vote by absentee ballot. The State
32 Election Commissioner shall also designate envelopes and create a set of instructions for voters casting their votes by
33 absentee ballot that municipalities may use to comply with the provisions of this subchapter.

34 ~~(f)~~(e) The municipality may adopt a printed or electronic affidavit form (or both), containing blanks associated
35 with each item required by this section to be listed on an affidavit, which may be completed by any elector wishing to
36 receive an absentee ballot pursuant to this section. An elector may submit a written or electronic request to the municipality
37 for the municipality prepared affidavit form, which the municipality shall forward to the elector upon receipt of a request
38 therefore.

SYNOPSIS

This amendment removes the notary requirement for requests for absentee ballots in municipal elections.
The notary requirement for absentee ballots in State elections has previously been removed.