



SPONSOR: Rep. Briggs King & Rep. Gray & Rep. Wilson &
Sen. Henry & Sen. Pettyjohn
Reps. Dukes, D. Short

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 468

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO WRONGFUL USE OF VOTER
REGISTRATION INFORMATION.

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

1 Section 1. Add a new Section to Title 15 of the Delaware Code by making deletions as shown by strikethrough and
2 insertions as shown by underline as follows:

3 § 2309. Wrongful use of voter registration information

4 (a) A person is guilty of wrongful use of voter registration information when the person, intentionally or
5 recklessly, allows the information provided by § 304 of this title to be used for any activity, solicitation, or purpose, for
6 profit or not for profit, that is not related to the electoral process, or makes the information available to the public or any
7 third party or publishes or republishes the information in a way that allows it to be used in that manner.

8 Wrongful use of voter information is a class A misdemeanor and shall be fined not less than 100% of all funds
9 received by any person resulting from the wrongful use of the information, or \$1,000, whichever is greater.

10 (b) Superior Court shall have jurisdiction for violations of this section.

SYNOPSIS

This Act creates the crime of wrongful use of voter registration information.

Delaware has no specific statute that addresses such a situation. Currently when there is a request for voter registration, the Department of Elections requires the applicant to sign a form with a sworn statement that the applicant will not use it for commercial solicitation or any other purpose not related to the electoral process. The applicant may be charged with perjury if they violate their affirmation.

Nearby states Maryland, New Jersey, and Pennsylvania have stronger restrictions.

This act would allow a fine that would be equal to 100% of funds received from any use of the information or \$1,000, whichever is greater, and makes it a class A misdemeanor.