

CHAPTER 25  
FORMERLY  
HOUSE BILL NO. 18

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CANVASS OF VOTE AND  
PROCLAMATION OF RESULTS OF ELECTION.

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

Section 1. Amend § 5701(b), Title 15 of the Delaware Code by making insertions as shown by underlining and deletions as shown by strike through as follows:

15 *Del. C.* § 5701. Superior Court as board of canvass; convening and composition of Court.

(a) The Superior Court shall convene in each county on the 2nd day after the general election at 10 a.m., for the performance of the duties imposed upon it by § 6 of article V of the Constitution of this State and by this chapter. Thereupon the Court, with the aid of such of its officers and such sworn assistants as it shall appoint, shall publicly ascertain the state of the election throughout the county and in the respective election districts by calculating the aggregate amount of all the votes for each office that shall have been given in all of the election districts of the county for every person voted for such office. For this purpose, the Court shall utilize the voting machine recording tapes, voting machine certificates, absentee vote tally sheets and write-in vote tally sheets for each election district provided by the Prothonotary and the Department of Elections for its county, whose representatives shall sit as observers and assistants to the Court during said calculation of the vote.

(b) For the purposes of this chapter, the Superior Court shall consist in New Castle County of the President Judge and the Resident Judge; in Kent County of the ~~Chancellor and the Resident Judge~~ and a Judge designated by the President Judge; and in Sussex County of the Resident Judge and ~~one of the remaining judges~~ a Judge designated by the President Judge. For the purpose of this chapter, the Superior Court in each county, as so constituted, shall be a board of canvass for the respective counties of this State.

Approved May 28, 2013