

CHAPTER 31
FORMERLY
SENATE BILL NO. 4

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BRIDGEVILLE RELATING TO ELECTIONS AND QUALIFICATIONS OF ELECTIVE OFFICERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Chapter 237, Volume 51, Laws of Delaware, as amended, being entitled "An Act to Reincorporate the Town of Bridgeville", Section 5, ELECTIONS, by making insertions as shown by underlining and deletions as shown by strike through as follows:

Section 5. ELECTIONS:

A. The Commissioners may by ordinance establish five (5) representative districts in Bridgeville. Five (5) members of the Commissioners of Bridgeville shall be nominated and elected from the several districts in which they reside. The Commissioners shall redistrict within one (1) year of the completion of the U.S. decennial census and may redistrict within one (1) year of the annexation of new territory within the Town limits.

B. Upon the establishment of representative districts by ordinance, all Commissioners shall be elected for a term of two (2) years. In order to stagger the terms of Commissioners, districts shall be divided into two categories: the first category shall be Districts 1, 2, and 3, and the second category shall be Districts 4 and 5. The Commissioners from the first category shall stand for election at the first general election next following the adoption of an ordinance establishing election districts, and the second category shall stand for election at the second general election following such establishment. Thereafter, elections for Commissioner in each district shall be conducted every two (2) years. The candidate for Commissioner who shall have the highest number of votes in a district shall be declared elected for such term.

~~An election shall be held in said Town for elective officers on the first Saturday of March in each year from twelve (12) o'clock noon to seven (7) o'clock in the afternoon, and at such place as shall be determined and fixed by the Town Commissioners. At least ten days previous thereto, due notice thereof shall be given by said Town Commissioners. At such election the votes shall be received by the Judge of Elections residing in said Town or by such other person as said Town Commissioners may select, and the result of the balloting for said officers shall be ascertained by him or her and two competent citizens, qualified as voters of said Town, selected by said Town Commissioners to assist in holding such election. The persons who shall conduct such election as in this Act provided, shall be the Judges thereof and shall decide on the legality of the votes offered. Immediately after the election is closed, the votes shall be read and counted. The two candidates for Commissioners for the two year term who shall have the highest and next highest number of votes for such office and term shall be declared elected for the two year term and the candidate for Commissioner for the one year term shall be declared elected for such term. Immediately after such election, said persons under whose superintendence the election is held shall enter in a book to be provided for that purpose, a minute of such election containing the names of all persons who were candidates for office, designating the office for which they were candidates and showing the number of votes received by each and shall subscribe to the same and deliver said book to said Commissioners at their organization meeting. They shall also give to the persons so elected a certificate of their election. The book containing such minutes shall be preserved by the Commissioners and shall be evidence in all Courts in this State or elsewhere. No person shall be voted upon as a candidate for any of such offices unless at least four weeks before the date set for said election, he or she shall have filed with the Secretary or President of said Town Commissioners a letter or other certificate setting forth that he will be a candidate for a certain designated office for a like designated term, he or she being at that time a non-delinquent taxable. Immediately after the expiration of the time for filing names of candidates, said Town Commissioners shall cause the election ballots for voting machines to be prepared. Voting machines shall be used in conformity with Chapter 50, Title 15 of the Delaware Code. Upon the ballots prepared for the voting machine the names of the candidates for the offices to be filled shall be arranged alphabetically under each office. The voters shall designate their choice of candidates in accordance with the regular method of operation of voting machines.~~

~~At the town elections so as aforesaid held and at the elections held annually thereafter the voters of the Town of Bridgeville shall vote for three commissioners, two of whom shall serve for a term of two years and one shall serve for a term of one year.~~

~~Every citizen of the said town of the age eighteen years or upwards, or persons arriving at the age of eighteen years since the last Town Assessment, shall have one vote provided he or she has registered on the "Books of Registered Voters" of the Town of Bridgeville. The Commissioners of Bridgeville shall provide two registers to be known as the "Books of Registered Voters" which shall be kept by the Secretary and shall be conclusive evidence of the right of any person to vote at the annual election. The "Books of Registered Voters" shall contain the names of those persons who have registered in alphabetical order and the following information for each registrant: the name and permanent address of the registrant, the local address of the registrant, the birth date of the registrant, the date the registrant became a resident of the State of Delaware, and the date the registrant became a resident of the Town of Bridgeville, and other pertinent information. No person shall be registered upon the "Books of Registered Voters" unless he or she will have acquired the qualifications to vote in the annual election for the year in which he or she registers. A person shall be required to register one time; provided, however, that if a registered voter fails to vote in two consecutive annual elections in which there is a contest, his name shall be removed from the "Books of Registered Voters" and notice shall be sent to said registered voter at his last known address by registered mail with return receipt requested advising that his name has been removed from the list of registered voters and that it will be necessary to register again in order to be eligible to vote in the annual election. A person may register at the office of the Secretary during regular office hours by completing such forms as may be~~

~~provided by the Town' provided, however, that no person shall be registered after the close of business on the tenth day prior to the date of the annual election.~~

~~The Commissioners of Bridgeville may, by ordinance, provide for a qualified voter, duly registered, who shall be unable to appear to cast a ballot at any annual election either because of being in the public service of the United States or of this State, or because of the nature of his or her business or occupation, or because of illness or physical disability, or because of being unavoidably absent on the day of the election, or because of being absent while on vacation, to vote by absentee ballot.~~

C. An election shall be held in the Town of Bridgeville for Commissioners on the first Saturday of March from twelve o'clock noon to seven o'clock in the afternoon and at such place as shall be determined and fixed by the Town Commissioners.

D. Every person who is a citizen of the United States; is at least eighteen (18) years of age; has resided within the corporate limits of the Town for at least thirty (30) days prior to the next Town election; is registered to vote in the State of Delaware; and is registered as required by law in Bridgeville, shall be a qualified voter of the Town. Every qualified voter of the Town shall be entitled to vote in any or all Town elections.

E. Except as set out herein, the conduct of general elections of the Town of Bridgeville and absentee voting shall be governed by the laws of Delaware set out in Chapter 75, Title 15, Delaware Code, entitled Municipal Elections, as it may be from time to time hereafter amended.

Section 2. Amend Chapter 237, Volume 51, Laws of Delaware, as amended, being entitled "An Act to Reincorporate the Town of Bridgeville", Section 7, QUALIFICATION OF ELECTIVE OFFICERS, by deleting the text thereof in its entirety and making insertions therein as shown by underlining as follows:

Section 7. QUALIFICATION OF ELECTIVE OFFICERS:

A. No person shall be eligible for the office of Commissioner who shall not be at the time of his or her election at least twenty-one (21) years of age; shall have resided in the Town for at least one year immediately preceding the date of election; shall be a qualified voter of the Town of Bridgeville for at least one (1) year; and shall not have been convicted of a felony.

B. No person shall be voted upon as a candidate for any of such offices unless at least four weeks before the date set for said election, he or she shall have filed with the Secretary or President of said Town Commissioners a letter or other certificate setting forth that he or she will be a candidate for the office of Commissioner.

Approved May 28, 2013