

CHAPTER 126  
FORMERLY  
SENATE BILL NO. 101

AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH, AN ACT TO RE-INCORPORATE THE TOWN OF BETHANY BEACH, RELATING TO ELECTION NOTICES AND RECORDS AND CANDIDATE QUALIFICATIONS.

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 Section 5.2.1 of Volume 65, Chapter 295, Laws of Delaware, by adding to the end of this section the following:

"Town Council candidates who only qualify to vote as a "freeholder" shall have been a freeholder for at least six (6) months prior to the election."

Section 2. Amend Section 5.4.5(b) of Volume 65, Chapter 295, Laws of Delaware, by inserting the words "and the qualifications to vote, along with information about how to obtain an absentee ballot" at the end of the second sentence after the words "as well as a description of the positions to be filled".

Section 3, Amend Section 5.4.5(d) of Volume 65, Chapter 295, Laws of Delaware, by striking the words "shall be unable to appear in person" and inserting in their place thereof "is absent from the Town or otherwise unable to appear in person,".

Section 4. Amend Section 5.4.5(1) of Volume 65, Chapter 295, Laws of Delaware, by striking the words "ten (10) days, unless an appeal is filed in a court of appropriate jurisdiction." and inserting in place thereof the following:

"at least thirty (30) days, unless the election is contested or an appeal is filed in a court of appropriate jurisdiction, in which case such ballots and records shall be preserved until further direction of the reviewing body or court having jurisdiction."

Approved July 13, 2011