

CHAPTER 154
FORMERLY
SENATE BILL NO. 118

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE REGARDING THE PRESIDENTIAL PRIMARY AND FOR OTHER ASSOCIATED PURPOSES.

WHEREAS, the Military and Overseas Voter Empowerment Act (MOVE) provides that there shall be at least 45 days between the day absentee ballots are first mailed to UOCAVA voters and the day of the election;

WHEREAS, the candidate deadlines for the Presidential Primary do not give the Departments of Elections time to prepare and send absentee ballots to UOCAVA voters at least 45 day before the day of the Presidential Primary; and

WHEREAS, the Presidential Primary can be run more efficiently

NOW, THEREFORE:

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

Section 1. Amend §3183 (a), Title 15, Delaware Code, by striking the first sentence in its entirety and substituting in lieu thereof the following: “Notification of candidacy shall be no later than the 60th day before the day of the presidential primary election.”

Section 2. Amend §3183 (b), Title 15, Delaware Code, by striking the words “7 working days after the” in their entirety and substituting in lieu thereof the words “no later than 4:30 pm. the Wednesday following the”.

Section 3. Amend §3183 (b), Title 15, Delaware Code, by striking the words “following the day on which the above-mentioned list was provided to the State Election Commissioner” in their entirety and substituting in lieu thereof the words “the Friday following the deadline set in accordance with subsection (a) of this section”.

Section 4. Amend §3189, Title 15, Delaware Code, by striking the last sentence in its entirety and substituting in lieu thereof the following sentence: “The last day that a voter may change his/her political party affiliation before the presidential primary election shall be the 60th day before the day of the aforesaid election.”.

Section 5. Amend §3190, Title 15, Delaware Code, by striking said section in its entirety and substituting in lieu thereof the following:

“§3190. Polling places; voting machines; election officers

The Departments of Elections:

- (1) May combine all Election Districts voting at a location into a single voting district;
- (2) May combine other Election Districts as necessary for the efficient conduct of the election;
- (3) Shall assign a minimum of two voting machines and a maximum of five voting machines to a voting district; and
- (4) Shall assign a sufficient number of Election Officers to each voting district.

Section 6. Amend §2049, Title 15, Delaware Code, by striking the words starting with “March 31” through the end of that sentence in their entirety, and substituting in lieu thereof the words “the last Saturday in May through the day of the Primary Election”.

Approved July 27, 2011