



SPONSOR: Sen. Richardson & Rep. Briggs King & Rep. Dukes
Sens. Hocker, Lawson, Pettyjohn, Sokola, Wilson; Reps.
Bush, Gray, Hilovsky

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 26

AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION
RELATING TO ELECTIONS.

WHEREAS, an amendment to the Delaware Constitution was proposed in the 151st General Assembly, being Chapter 350 of Volume 83 of the Laws of Delaware ("proposed amendment"); and

WHEREAS, the proposed amendment was adopted by two-thirds of all members elected to each house of the 151st General Assembly; and

WHEREAS, following adoption by the General Assembly, the proposed amendment was publicized in accordance with the Delaware Constitution; and

WHEREAS, when the 152nd General Assembly concurs in the proposed amendment, the amendment will become part of the Delaware Constitution.

NOW, THEREFORE:

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 § 2, Article V of the Delaware Constitution by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 2.

Every citizen of this State of the age of ~~twenty-one~~ eighteen years or older who shall have been a resident thereof one year next preceding an election, and for the last three months a resident of the county, and for the last thirty days a resident of the hundred or election district in which he or she may offer to vote, and in which he or she shall have been duly registered as hereinafter provided for, shall be entitled to vote at such election in the hundred or election district of which he or she shall at the time be a resident, and in which he or she shall be registered, for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the people; provided, however, that no person who shall attain the age of ~~twenty-one~~ eighteen years after the first day of January in the year of our Lord, nineteen hundred, or after that date shall become a citizen of the United States, shall have the right to vote unless he or she shall be able to read this Constitution in the English language and write his or her name; but these requirements shall not

24 apply to any person who by reason of physical disability shall be unable to comply therewith; and provided also, that no
25 person in the military, naval, or marine service of the United States shall be considered as acquiring a residence in this
26 State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no person
27 adjudged mentally incompetent or person convicted of a crime deemed by law felony, or incapacitated under the provisions
28 of this Constitution from voting, shall enjoy the right of an elector; and the General Assembly may impose the forfeiture of
29 the right of suffrage as a punishment for crime. Any person who is disqualified as a voter because of a conviction of a crime
30 deemed by law a felony shall have such disqualification removed upon being pardoned, or after the expiration of the
31 sentence, whichever may first occur. The term "sentence" as used in this Section shall include all periods of modification of
32 a sentence, such as, but not limited to, probation, parole and suspension. The provision of this paragraph shall not apply to
33 (1) those persons who were convicted of any felony of murder or manslaughter, (except vehicular homicide); or (2) those
34 persons who were convicted of any felony constituting an offense against public administration involving bribery or
35 improper influence or abuse of office, or any like offense under the laws of any state or local jurisdiction, or of the United
36 States, or of the District of Columbia; or (3) those persons who were convicted of any felony constituting a sexual offense,
37 or any like offense under the laws of any state or local jurisdiction or of the United States or of the District of Columbia.

SYNOPSIS

This Act is the second leg of a constitutional amendment that would update the minimum voting age in the Delaware Constitution from twenty-one years to eighteen years. The first leg of this constitutional amendment was Senate Bill No. 294 of the 151st General Assembly, which became Chapter 350 of Volume 83 of the Laws of Delaware. On passage of this second leg by this General Assembly this amendment will become part of the Delaware Constitution.

This Act requires a greater than majority vote for passage because § 1 of Article XVI of the Delaware Constitution requires the affirmative vote of two-thirds of the members elected to each house of the General Assembly when the General Assembly amends the Delaware Constitution.

Author: Senator Richardson