



SPONSOR: Rep. Dorsey Walker & Sen. Pinkney & Rep. Lambert &
Rep. Wilson-Anton & Rep. Morrison
Reps. Baumbach, Harris, Romer, K. Williams; Sen.
Hoffner

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 189

AN ACT TO AMEND TITLE 15 AND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL ELECTIONS.

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 § 7554, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7554. Voter eligibility.

(a) Voter eligibility shall be as specified within the town ~~charter; provided however, that~~ charter, except as follows:

~~(1) in no event shall a municipality~~ A municipality may not impose a durational residency requirement in excess of 30 days.

~~(2) Corporations and other artificial entities may not be deemed persons for purposes of determining eligibility and are not eligible to vote in a municipal election.~~

(d) Persons appearing to vote shall present proof of identity and address. The identification shall be 1 or more of the following items that individually or together show the identity and address of the person:

(1) A current State of Delaware driver's license or ID ~~card;~~card.

(2) A uniformed service ID ~~card;~~card.

(3) Another current photo ID issued by the State of Delaware; U.S. Government; the voter's employer, high school or higher education ~~institution;~~institution.

(4) A current utility bill, bank statement, credit card statement, a paycheck or pay advice, or another type of bill or ~~statement;~~statement.

(5) A lease or sales ~~agreement; and/or~~agreement.

(6) Any other documentation that a person can reasonably and commonly accept as proof of identity and address.

21 (e) Personal recognition by a majority of the Election Officers in the polling place can attest to a voter's identity
22 and address.

23 Section 2. Amend § 835, Title 22 of the Delaware Code by making deletions as shown by strike through and
24 insertions as shown by underline as follows:

25 § 835. Amendments prohibited.

26 (b) No municipal corporation charter which permits nonresident natural persons to vote in any municipal election
27 or to hold any municipal office shall be amended, pursuant to this chapter, so as to eliminate or limit the right of
28 nonresident natural persons to vote or hold office, nor shall the percentage of nonresident officials allowed or required be
29 changed.

SYNOPSIS

This Act makes clear that corporations and other artificial entities may not be given a vote in municipal elections. Section 1 of this Act prohibits a municipality from giving corporations and other artificial entities the right to vote within the municipality's charter. Section 2 amends the language that prohibits municipalities from amending charters that permit nonresident persons to vote to take away such rights under the provisions of Title 22, Chapter 8 applies only to the rights of nonresident natural persons, not to corporations or other artificial entities.