



SPONSOR: Rep. Longhurst & Rep. Minor-Brown & Rep. Harris &  
Rep. Ramone & Rep. Yearick & Sen. Sokola &  
Sen. Townsend & Sen. Lockman & Sen. Hocker &  
Sen. Pettyjohn

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 430

AN ACT PROPOSING AMENDMENTS TO THE DELAWARE CONSTITUTION RELATING TO TECHNICAL CORRECTIONS.

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

1           Section 1. Amend § 1, Article I of the Delaware Constitution by making deletions as shown by strike through and  
2 insertions as shown by underline as follows:

3           § 1. Freedom of religion.

4           ~~Section 1.~~ Although it is the duty of all persons frequently to assemble together for the public worship of Almighty  
5 God; and piety and morality, on which the prosperity of communities depends, are hereby promoted; yet no person shall or  
6 ought to be compelled to attend any religious worship, to contribute to the erection or support of any place of worship, or to  
7 the maintenance of any ministry, against ~~his or her~~ the person's own free will and consent; and no power shall or ought to  
8 be vested in or assumed by any magistrate that shall in any case interfere with, or in any manner control the rights of  
9 conscience, in the free exercise of religious worship, nor a preference given by law to any religious societies,  
10 denominations, or modes of worship.

11           Section 2. Amend § 2, Article I of the Delaware Constitution by making deletions as shown by strike through and  
12 insertions as shown by underline as follows:

13           § 2. Religious test for office not required.

14           ~~Section 2.~~ No religious test shall be required as a qualification to any office, or public trust, under this State.

15           Section 3. Amend § 3, Article I of the Delaware Constitution by making deletions as shown by strike through and  
16 insertions as shown by underline as follows:

17           § 3. Free and equal elections.

18           ~~Section 3.~~ All elections shall be free and equal.

19           Section 4. Amend § 4, Article I of the Delaware Constitution by making deletions as shown by strike through and  
20 insertions as shown by underline as follows:

21           § 4. Trial by jury.

22           ~~Section 4.~~ Trial by jury shall be as heretofore.

23           Section 5. Amend § 5, Article I of the Delaware Constitution by making deletions as shown by strike through and  
24 insertions as shown by underline as follows:

25           § 5. Freedom of press and speech; evidence in libel prosecutions; jury questions.

26           ~~Section 5.~~ The free communication of thoughts and opinions is one of the invaluable rights of ~~man~~ humanity. The  
27 press shall be free to every citizen who undertakes to examine the official conduct of persons acting in a public capacity;  
28 and any citizen may freely speak, ~~write~~ write, and print on any subject, being responsible for the abuse of that liberty. In  
29 prosecutions for publications, investigating the proceedings of officers, or where the matter published is proper for public  
30 information, the truth thereof may be given in evidence; and in all indictments for libels the jury may determine the facts  
31 and the law, as in other cases.

32           Section 6. Amend § 6, Article I of the Delaware Constitution by making deletions as shown by strike through and  
33 insertions as shown by underline as follows:

34           § 6. Searches and seizures.

35           ~~Section 6.~~ The people shall be secure in their persons, houses, ~~papers~~ papers, and possessions, from unreasonable  
36 searches and seizures; and no warrant to search any place, or to seize any person or thing, shall issue without describing  
37 them as particularly as may be; nor then, unless there be probable cause supported by oath or affirmation.

38           Section 7. Amend § 7, Article I of the Delaware Constitution by making deletions as shown by strike through and  
39 insertions as shown by underline as follows:

40           § 7. Procedural rights in criminal prosecutions; jury trial; self-incrimination; deprivation of life, ~~liberty~~ liberty, or  
41 property.

42           ~~Section 7.~~ In all criminal prosecutions, the accused ~~hath~~ has a right to be heard ~~by himself or herself and his or her~~  
43 personally and by counsel, to be plainly and fully informed of the nature and cause of the accusation against ~~him or her~~, the  
44 accused, to meet the witnesses in their examination face to face, to have compulsory process in due time, on application by  
45 ~~himself or herself, his or her~~ the accused, the accused's friends or counsel, for obtaining witnesses in ~~his or her~~ the  
46 accused's favor, and a speedy and public trial by an impartial jury; ~~he or she~~ the accused shall not be compelled to give  
47 evidence against ~~himself or herself~~, the accused's own self, nor shall ~~he or she~~ the accused be deprived of life, ~~liberty~~  
48 liberty, or property, unless by the judgment of ~~his or her~~ the accused's peers or by the law of the land.

49           Section 8. Amend § 8, Article I of the Delaware Constitution by making deletions as shown by strike through and  
50 insertions as shown by underline as follows:

51           § 8. Prosecution by indictment or information; double jeopardy; just compensation for property.

52           ~~Section 8.~~ No person shall for any indictable offense be proceeded against criminally by information, except in  
53 cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; and no  
54 person shall be for the same offense twice put in jeopardy of life or limb; nor shall any person's property be taken or applied  
55 to public use without the consent of ~~his or her~~ the person's representatives, and without compensation being made.

56           Section 9. Amend § 9, Article I of the Delaware Constitution by making deletions as shown by strike through and  
57 insertions as shown by underline as follows:

58           § 9. Courts shall be open; remedy for injury; suits against State.

59           ~~Section 9.~~ All courts shall be open; and every ~~person for an injury done him or her in his or her~~ individual for an  
60 injury done to the individual's reputation, person, or movable or immovable possessions, shall have remedy by the due  
61 course of law, and justice administered according to the very right of the cause and the law of the land, without sale, denial,  
62 or unreasonable delay or expense. Suits may be brought against ~~the~~ this State, according to such regulations as shall be  
63 made by law.

64           Section 10. Amend § 10, Article I of the Delaware Constitution by making deletions as shown by strike through  
65 and insertions as shown by underline as follows:

66           § 10. Suspension of laws by General Assembly.

67           ~~Section 10.~~ No power of suspending laws shall be exercised but by authority of the General Assembly.

68           Section 11. Amend § 11, Article I of the Delaware Constitution by making deletions as shown by strike through  
69 and insertions as shown by underline as follows:

70           § 11. Excessive bail or fines; cruel punishments; health of prisoners.

71           ~~Section 11.~~ Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted; and  
72 in the construction of jails a proper regard shall be had to the health of prisoners.

73           Section 12. Amend § 12, Article I of the Delaware Constitution by making deletions as shown by strike through  
74 and insertions as shown by underline as follows:

75           § 12. Right to bail; access to accused.

76           ~~Section 12.~~ All prisoners shall beailable by sufficient sureties, unless for capital offenses when the proof is  
77 positive or the presumption great; and when persons are confined on accusation for such offenses their friends and counsel  
78 may at proper seasons have access to them.

79           Section 13. Amend § 13, Article I of the Delaware Constitution by making deletions as shown by strike through  
80 and insertions as shown by underline as follows:

81           § 13. Suspension of habeas corpus.

82           ~~Section 13.~~ The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or  
83 invasion the public safety may require it.

84           Section 14. Amend § 14, Article I of the Delaware Constitution by making deletions as shown by strike through  
85 and insertions as shown by underline as follows:

86           § 14. Commission of oyer and terminer, or jail delivery.

87           ~~Section 14.~~ No commission of oyer and terminer, or jail delivery, shall be issued.

88           Section 15. Amend § 15, Article I of the Delaware Constitution by making deletions as shown by strike through  
89 and insertions as shown by underline as follows:

90           § 15. Corruption of blood; forfeiture; descent of suicide's estate.

91           ~~Section 15.~~ No attainder shall work corruption of blood, nor except during the life of the offender forfeiture of  
92 estate. The estates of those who destroy their own lives shall descend or vest as in case of natural death, and if any person  
93 be killed by accident no forfeiture shall thereby be incurred.

94           Section 16. Amend § 16, Article I of the Delaware Constitution by making deletions as shown by strike through  
95 and insertions as shown by underline as follows:

96           § 16. Right of assembly; petition for redress of grievances.

97           ~~Section 16.~~ Although disobedience to laws by a part of the people, upon suggestions of impolicy or injustice in  
98 them, tends by immediate effect and the influence of example not only to endanger the public welfare and safety, but also in  
99 governments of a republican form contravenes the social principles of such governments, founded on common consent for  
100 common good; yet the citizens have a right in an orderly manner to meet together, and to apply to persons ~~intrusted~~  
101 entrusted with the powers of government, for redress of grievances or other proper purposes, by petition, ~~remonstrance~~  
102 remonstrance, or address.

103           Section 17. Amend § 17, Article I of the Delaware Constitution by making deletions as shown by strike through  
104 and insertions as shown by underline as follows:

105           § 17. Standing army; necessity for legislative consent; subordination of military.

106           ~~Section 17.~~ No standing army shall be kept without the consent of the General Assembly, and the military ~~shall~~  
107 shall, in all cases and at all ~~times~~ times, be in strict subordination to the civil power.

108           Section 18. Amend § 18, Article I of the Delaware Constitution by making deletions as shown by strike through  
109 and insertions as shown by underline as follows:

110           § 18. Prohibition against quartering soldiers in homes.

111           ~~Section 18.~~ No soldier shall in time of peace be quartered in any house without the consent of the owner; nor in  
112 time of war but by a civil magistrate, in manner to be prescribed by law.

113           Section 19. Amend § 19, Article I of the Delaware Constitution by making deletions as shown by strike through  
114 and insertions as shown by underline as follows:

115           § 19. Hereditary distinctions; holding office during good behavior; offices and titles from foreign states.

116           ~~Section 19.~~ No hereditary distinction shall be granted, nor any office created or exercised, the appointment to  
117 which shall be for a longer term than during good ~~behaviour;~~ behavior; and no person holding any office under this State  
118 shall accept of any office or title of any kind whatever from any king, prince, or foreign State.

119           Section 20. Amend § 20, Article I of the Delaware Constitution by making deletions as shown by strike through  
120 and insertions as shown by underline as follows:

121           § 20. Right to keep and bear arms.

122           ~~Section 20.~~ A person has the right to keep and bear arms for the defense of self, family, home and State, and for  
123 hunting and recreational use.

124           Section 21. Amend § 21, Article I of the Delaware Constitution by making deletions as shown by strike through  
125 and insertions as shown by underline as follows:

126           § 21. Equal Rights.

127           ~~Section 21.~~ Equality of rights under the law shall not be denied or abridged on account of race, color, national  
128 origin, or sex.

129           Section 22. Amend § 1, Article II of the Delaware Constitution by making deletions as shown by strike through  
130 and insertions as shown by underline as follows:

131           § 1. General Assembly to hold legislative power; composition.

132           ~~Section 1.~~ The legislative power of this State shall be vested in a General Assembly, which shall consist of a  
133 Senate and House of Representatives.

134           Section 23. Amend § 2, Article II of the Delaware Constitution by making deletions as shown by strike through  
135 and insertions as shown by underline as follows:

136           § 2. Composition of House and Senate; terms of office; districts; election.

137           ~~Section 2.~~ The House of Representatives shall be composed of ~~thirty-five~~ 35 members, plus such additional  
138 members as shall be provided ~~pursuant to~~ under Section 2A of this Article, who shall be chosen for ~~two~~ 2 years. The Senate  
139 shall be composed of ~~twenty-one~~ 21 members, who shall be chosen for ~~four~~ 4 years.

140           ~~The~~This State is hereby divided into ~~thirty-five~~ 35 Representative Districts. There shall be such additional  
141 Representative Districts as shall be provided ~~pursuant to~~ under Section 2A of this Article. From each Representative  
142 District there shall be chosen, by the qualified electors thereof, ~~one~~ 1 Representative. ~~The~~ This State is also hereby divided  
143 into ~~twenty-one~~ 21 Senatorial Districts, from each of which shall be chosen, by the qualified electors thereof, ~~one~~ 1 Senator.  
144 In New Castle County there shall be ~~seven~~ 7 Senatorial Districts, numbered from ~~one~~ 1 to ~~seven~~ 7 inclusive; in Kent  
145 County, ~~seven~~ 7 Senatorial Districts, numbered from ~~one~~ 1 to ~~seven~~ 7 inclusive; and in Sussex County, ~~seven~~ 7 Senatorial  
146 Districts from ~~one~~ 1 to ~~seven~~ 7 inclusive.

147           The Representative Districts in New Castle County are and shall be as follows:

148           Number One. All that portion of the City of Wilmington included within the Second and Fourth Wards, and those  
149 parts of the Sixth and Eighth Wards, respectively, lying south of and bounded by the central line of Eighth street.

150           Number Two. All that portion of the ~~said~~ city included within the Ninth Ward, and those parts of the Sixth and  
151 Eighth Wards, respectively, lying north of and bounded by the central line of Eighth street.

152           Number Three. All that portion of the ~~said~~ city included within the Seventh Ward, and that part of the Fifth Ward  
153 lying north of and bounded by a straight line including the central line of Eighth street.

154           Number Four. All that portion of the ~~said~~ city included within the First and Third Wards, and that part of the Fifth  
155 Ward lying south of and bounded by the central line of Eighth street, east of and bounded by the central line of Adams  
156 street, and west of and bounded by the central line of Market street.

157           Number Five. All that portion of the ~~said~~ city included within the Tenth, ~~Eleventh~~ Eleventh, and Twelfth Wards,  
158 and that part of the Fifth Ward lying south of and bounded by a straight line including the central line of Eighth street, west  
159 of and bounded by the central line of Adams street, and bounded on the west by the westerly boundary line of the ~~said~~ city.

160           Number Six. Brandywine Hundred.

161           Number Seven. Christiana Hundred.

162           Number Eight. Mill Creek Hundred.

163           Number Nine. White Clay Creek Hundred.

164           Number Ten. New Castle Hundred.

165           Number Eleven. Pencader Hundred.

166           Number Twelve. Red Lion Hundred.

167           Number Thirteen. St. Georges Hundred.

168           Number Fourteen. Appoquinimink Hundred.

169           Number Fifteen. Blackbird Hundred.

170 The Representative Districts in Kent County are and shall be as follows:

171 Number One. Duck Creek Hundred.

172 Number Two. Little Creek Hundred and the first Election District of East Dover Hundred.

173 Number Three. Kenton Hundred.

174 Number Four. West Dover Hundred and all that portion of East Dover Hundred lying next to West Dover Hundred  
175 and separate from the rest of East Dover Hundred by the following boundary lines: beginning at the middle of the public  
176 road leading from the Horsehead road to Kenton at the point of intersection of Kenton Hundred and East Dover Hundred,  
177 thence running along the middle of the ~~said~~ road to the Horsehead road, thence running in a westerly direction along the  
178 middle of the ~~said~~ Horsehead road a short distance to a short road leading from the ~~said~~ Horsehead road to the road from  
179 Dover to Hazletville, known as the Hazletville road, thence running along the middle of the ~~said~~ short road from the  
180 Horsehead road to the ~~said~~ Hazletville road, thence running in a westerly direction along the middle of the ~~said~~ Hazletville  
181 road a short distance to the road leading therefrom to Wyoming, thence running along the middle of the ~~said~~ road leading  
182 from the ~~said~~ Hazletville road to Wyoming to the point of intersection of East Dover Hundred and North Murderkill  
183 Hundred.

184 Number Five. All that portion of East Dover Hundred not included in Districts numbers two and four.

185 Number Six. Parts of North Murderkill, South Murderkill and Mispillion Hundreds included within the following  
186 boundary lines: beginning at the intersection of the southern line of South Murderkill Hundred with the State of Maryland,  
187 thence running along the division line between Mispillion Hundred and South Murderkill Hundred to the public road  
188 leading from Whiteleysburg to Harrington, thence running in a southeasterly and easterly direction along the middle of ~~said~~  
189 the public road to the public road leading from Masten's Corner to Vernon, at or near White's Church, thence running in a  
190 northeasterly direction along the middle of ~~said~~ the public road leading from Masten's Corner to Vernon, a short distance to  
191 the public road leading therefrom to the town of Harrington, being a continuation of the road leading from Whiteleysburg to  
192 Harrington, thence running in a southeasterly direction to the intersection of West street in the town of Harrington, thence  
193 running in a northerly direction along the middle of ~~said~~ West street to the middle of Wolcott street in ~~said~~ the town of  
194 Harrington, thence running in an easterly direction along the middle of ~~said~~ Wolcott street to the middle of Dorman street in  
195 ~~said~~ the town of Harrington, thence running in a northerly direction along the middle of ~~said~~ Dorman street to Brown's  
196 Branch, thence running in an easterly direction with the course of ~~said~~ the Branch to the Delaware Railroad, thence running  
197 in a northerly direction along said Delaware Railroad to Beaver Dam Branch in South Murderkill Hundred, thence  
198 following the course of ~~said~~ Beaver Dam Branch in a northwesterly direction to the public road leading from Felton to  
199 Whiteleysburg, thence running in a northeasterly direction along the middle of the ~~said~~ public road from Felton to

200 Whiteleysburg to the Owl's Nest road, thence running in a northerly direction along the middle of ~~the said~~ Owl's Nest road  
201 to the intersection of the Cowgill road from Woodside to Petersburg, thence running in a northerly direction along the  
202 middle of ~~the said~~ Cowgill road to the Reed road running from Woodside to DuPont's school house, thence running in a  
203 northwesterly direction along the middle of ~~the said~~ Reed road to DuPont's school house, thence running in a northerly  
204 direction along the middle of the public road leading from Willow Grove to Camden, a short distance to Stubb's Corner,  
205 thence running in a westerly and northwesterly and westerly direction along the middle of the public road leading from  
206 DuPont's school house to the Almshouse to Gray's Corner, thence continuing in a direct westerly line to the southern  
207 boundary line of West Dover Hundred, thence following the southern boundary line of West Dover Hundred in a westerly  
208 direction to the State of Maryland, thence running in a southerly direction along the eastern boundary line to the State of  
209 Maryland to the place of beginning.

210 Number Seven. All that portion of North Murderkill Hundred not included in District ~~number six.~~ Number Six.

211 Number Eight. All that portion of South Murderkill Hundred not included in District ~~number six.~~ Number Six.

212 Number Nine. All that portion of Mispillion Hundred not included in District ~~number six.~~ Number Six.

213 Number Ten. Milford Hundred.

214 The Representative Districts in Sussex County are and shall be as follows:

215 Number One. Cedar Creek Hundred.

216 Number Two. All that portion of Nanticoke Hundred which lies north and west of Gravelly Branch, beginning at a  
217 point where ~~the said~~ Gravelly Branch intersects the dividing line between Georgetown and Nanticoke Hundreds and  
218 running in a southwesterly course to what was formerly known as Rest's Old Mill, thence along ~~said~~ the branch to what was  
219 formerly known as Collins' Mills, to its mouth being at the head of Middleford Mill Pond; together with North West Fork  
220 Hundred.

221 Number Three. All that portion of Nanticoke Hundred which lies south and east of ~~said~~ Gravelly Branch,  
222 beginning at a point where ~~the said~~ Gravelly Branch intersects the dividing line between Nanticoke and Georgetown  
223 Hundreds, running in a southwesterly course to what was formerly known as Rest's Old Mill, thence along ~~said~~ the branch  
224 to what was formerly known as Collins' Mills, to its mouth at the head of Middleford Mill Pond; together with Seaford  
225 Hundred.

226 Number Four. Broad Creek Hundred.

227 Number Five. Little Creek Hundred.

228 Number Six. Dagsboro and Gumboro Hundreds.

229 Number Seven. Baltimore Hundred.



230 Number Eight. Indian River Hundred.

231 Number Nine. Georgetown Hundred.

232 Number Ten. Broadkilm and Lewes and Rehoboth Hundreds.

233 The Senatorial Districts in New Castle County are and shall be as follows:

234 Number One. All that portion of the City of Wilmington lying north of and bounded by a straight line including  
235 the central line of Eighth street extending from the Delaware River to the westerly boundary of ~~said~~ the city.

236 Number Two. All that portion of the ~~said~~ City lying south of and bounded by the straight line aforesaid including  
237 the central line of Eighth street.

238 Number Three. Brandywine Hundred, together with all that portion of Christiana Hundred lying north of and  
239 bounded by the central line of Lancaster Turnpike.

240 Number Four. Milk Creek Hundred, together with all that portion of Christiana Hundred lying south of and  
241 bounded by the central line of the Lancaster Turnpike.

242 Number Five. White Clay Creek Hundred, Red Lion Hundred and New Castle Hundred.

243 Number Six. Pencader Hundred and St. Georges Hundred.

244 Number Seven. Appoquinimink Hundred and Blackbird Hundred.

245 The Senatorial Districts in Kent County are and shall be as follows:

246 Number One. The first and second Representative Districts.

247 Number Two. The third and fourth Representative Districts.

248 Number Three. The fifth and seventh Representative Districts.

249 Number Four. The sixth and ninth Representative Districts.

250 Number Five. The eighth and tenth Representative Districts.

251 Number Six, at Large. The first, second, fifth, seventh and eighth Representative Districts.

252 Number Seven, at Large. The third, fourth, sixth, ninth and tenth Representative Districts.

253 The Senatorial Districts in Sussex County are and shall be as follows:

254 Number One. The first and second Representative Districts.

255 Number Two. The third and fourth Representative Districts.

256 Number Three. The fifth and sixth Representative Districts.

257 Number Four. The seventh and eighth Representative Districts.

258 Number Five. The ninth and tenth Representative Districts.

259 Number Six, at Large. The first, second, third, fourth and fifth Representative Districts.

260 Number Seven, at Large. The sixth, seventh, eighth, ninth and tenth Representative Districts.

261 The first Senators elected from the Sixth Senatorial Districts of Kent and Sussex Counties shall serve for a ~~two~~ 2  
262 year term only, thereafter their successors shall serve for a full ~~four~~ 4 year term.

263 All territory which shall hereafter be added to and included within the City of Wilmington shall become part of the  
264 Representative Districts in New Castle County, as follows:

265 All lying east of a straight line including the central line of Market street, below Eighth street, as the ~~said two~~  
266 streets now exist, and south of a straight line including the central line of Eighth street, as the same now exists, shall  
267 become part of Representative District ~~number one.~~ Number One.

268 All lying north of a straight line including the central line of Eighth street, as the same now exists, extending from  
269 the northeasterly side of Brandywine Creek to the Delaware River, or north of the Brandywine Creek, westerly from the  
270 point of intersection of the ~~said~~ straight line with the northeasterly side of the ~~said~~ Creek, shall become part of  
271 Representative District ~~number two.~~ Number Two.

272 All lying north of a straight line including the central line of Eighth street, as the same now exists, south of the  
273 Brandywine Creek, and west of the central line of Market street, as the same now exists, shall become part of  
274 Representative District ~~number three.~~ Number Three.

275 All lying between a straight line including the central line of Market street extended southerly and a straight line  
276 including the central line of Washington street extended southerly shall become part of Representative District ~~number four.~~  
277 Number Four.

278 All lying south of a straight line including the central line of Eighth street, as the same now exists, and west of a  
279 straight line including the central line of Washington street, as the same now exists, shall become part of Representative  
280 District ~~number five.~~ Number Five.

281 In case of any change in the boundary line between this State and the State of Pennsylvania any of the ~~said~~  
282 Senatorial and Representative Districts in New Castle County affected thereby shall conform to any new boundary line  
283 between the ~~said~~ States.

284 All territory which shall hereafter be added to and included within the City of Wilmington shall become part of the  
285 Senatorial Districts in New Castle County as follows:

286 All lying north of a straight line including the central line of Eighth street, extended from the Delaware River  
287 westwardly, shall become part of Senatorial District ~~number one.~~ Number One.

288 All lying south of a straight line including the central line of Eighth street, extended from the Delaware River  
289 westwardly shall become part of Senatorial District ~~number two.~~ Number Two.

290 Whenever by the extension of the limits of the City of Wilmington territory forming part of any Representative or  
291 Senatorial District, as hereby established, shall be included within the limits of the ~~said~~ city, such Representative or  
292 Senatorial District shall thereafter consist of the residue thereof, not so included within ~~said~~ the limits.

293 The several Representative and Senatorial Districts in ~~the~~ this State shall, except as herein otherwise provided,  
294 continue to be bounded, described and defined by the lines of the hundreds, wards, election districts, public roads, railroad  
295 and other boundaries herein mentioned, as the same are now established and located.

296 Section 24. Amend § 2A, Article II of the Delaware Constitution by making deletions as shown by strike through  
297 and insertions as shown by underline as follows:

298 § 2A. Additional representative districts.

299 ~~Section 2A.~~ In addition to the existing 35 Representative Districts as set forth in Section 2 of this Article, there  
300 shall be additional Representative Districts as hereafter provided.

301 Each existing Representative District as set forth in Section 2 of this Article, with a population residing therein in  
302 excess of 15,000, as shown by the last official federal decennial census shall be entitled to ~~one~~ 1 additional Representative  
303 for each additional 15,000 population or major fraction thereof residing within the District.

304 Upon any Representative District, as set forth in Section 2 of this Article, being entitled to more than ~~one~~ 1  
305 Representative, it shall be subdivided into new Representative Districts for each additional Representative to which it is  
306 entitled, from which shall be chosen by the qualified electors thereof, a Representative.

307 After each official federal decennial census the new Representative Districts created ~~pursuant to~~ under this Section  
308 shall be abolished and the Representative Districts set forth in Section 2 of this Article shall again be re-divided as set forth  
309 herein.

310 The sub-dividing of the Representative Districts as set forth herein shall be done by a Redistricting Commission,  
311 consisting of the Governor, as Chairman, and the State Chairman of the ~~two~~ 2 political parties receiving the largest vote for  
312 Governor at the preceding election for Governor as advisors to the Governor. Redistricting and reapportioning by the  
313 Commission as set forth herein shall be accomplished in accordance with the following criteria: Each new Representative  
314 District shall, insofar as is possible, be formed of contiguous territory; shall be as nearly equal in population as possible to  
315 the other new districts being created within the existing Representative District; shall be bounded by ancient boundaries,  
316 major roads, streams, or other natural boundaries; and not be so created as to unduly favor any person or political party.

317 Within 120 calendar days following the official reporting to the President of the United States of each decennial  
318 census, (or within 120 calendar days after this amendment takes effect) the Governor, on behalf of the Commission, shall  
319 file with the Secretary of State the plan for redistricting and reapportioning as provided for herein. Forthwith, after the

320 filing, the Governor shall issue a proclamation of redistricting and reapportioning. The Secretary of State shall cause such  
321 proclamation to be published in ~~two~~ 2 newspapers of general circulation within ~~the~~ this State for ~~two~~ 2 consecutive weeks,  
322 within 20 days after the issuance of the proclamation. The proclamation shall become effective within 30 days of its  
323 issuance.

324 Any qualified voter may apply to the Superior Court to compel the Governor, by mandamus or otherwise, to  
325 perform the redistricting and reapportioning duties or to correct any error in redistricting and reapportioning. Application to  
326 compel the Governor to perform the redistricting and reapportioning duties must be filed within ~~thirty~~ 30 days of the  
327 expiration of the 120 days allotted to the Commission to file its plan, if such plan is not timely filed. Application to compel  
328 correction of any error in redistricting and reapportioning must be filed within ~~thirty~~ 30 days following the proclamation.  
329 Original jurisdiction in these matters is hereby vested in the Superior Court. On appeal, the cause shall be reviewed by the  
330 Supreme Court upon the law and the facts.

331 Section 25. Amend § 2B, Article II of the Delaware Constitution by making deletions as shown by strike through  
332 and insertions as shown by underline as follows:

333 § 2B. Delegates to Constitutional Convention.

334 ~~Section 2B.~~ The number of delegates and the method of electing delegates to the Constitutional Convention as  
335 provided in Section 2, Article 16, shall not be effected by the addition of Representatives or Representative Districts,  
336 ~~pursuant to~~ under Section 2A of this Article. The Representative Districts which shall elect delegates to the Constitutional  
337 Convention are as set forth in Section 2 of this Article.

338 Section 26. Amend § 3, Article II of the Delaware Constitution by making deletions as shown by strike through  
339 and insertions as shown by underline as follows:

340 § 3. Qualifications of members; commencement of terms of ~~members.~~ members; continuing residency required.

341 ~~Section 3.~~

342 (a) No person shall be a Senator who shall not have attained the age of ~~twenty-seven~~ 27 years and have been a  
343 citizen and inhabitant of ~~the~~ this State ~~three~~ 3 years next preceding the day of ~~his or her~~ the person's election and the last  
344 year of that term an inhabitant of the Senatorial District in which ~~he or she~~ the person shall be chosen, unless ~~he or she shall~~  
345 ~~have been~~ absent on the public business of the United States or of this State. No person shall be a Representative who shall  
346 not have attained the age of ~~twenty-four~~ 24 years, and have been a citizen and inhabitant of ~~the~~ this State ~~three~~ 3 years next  
347 preceding the day of ~~his or her~~ the person's election, and the last year of that term an inhabitant of the Representative  
348 District in which ~~he or she~~ the person shall be chosen, unless ~~he or she shall have been~~ absent on the public business of the  
349 United States or of this State.

350 (b) A Senator shall continuously reside in the Senatorial District in which the Senator was chosen during the  
351 Senator's term of office. A Representative shall continuously reside in the Representative District in which the  
352 Representative was chosen during the Representative's term of office. A Senator or Representative who does not  
353 continuously reside in the District in which the Senator or Representative was chosen is deemed to have resigned the office.

354 ~~(b) The terms of Senators and Representatives begin on the day next after their election.~~

355 (c) If, as a result of legislative redistricting, a sitting Senator or Representative is required to change the Senator's  
356 or Representative's residence in order to maintain residency in the district in which the Senator or Representative represent,  
357 subsection (b) of this ~~section~~ Section does not apply.

358 (d) If, by reason of an event that can be neither anticipated nor controlled, a Senator or Representative is unable to  
359 continue to maintain residency in their district, subsection (b) of this Section does not apply.

360 (e) The terms of Senators and Representatives begin on the day next after their election.

361 Section 27. Amend § 4, Article II of the Delaware Constitution by making deletions as shown by strike through  
362 and insertions as shown by underline as follows:

363 § 4. Time and frequency of sessions.

364 ~~(a) Section 4.~~ The General Assembly shall convene on the second Tuesday of January of each calendar year unless  
365 otherwise convened by the Governor, or by mutual call of the presiding officers of both Houses.

366 (b) The General Assembly may continue in session each calendar year so long as, in its judgment, the public  
367 interest may require; however, each session may not extend beyond 5:00 p.m. on the last day of June unless the session is  
368 recalled by the Governor or the mutual call of the presiding officers of both Houses.

369 Section 28. Amend § 5, Article II of the Delaware Constitution by making deletions as shown by strike through  
370 and insertions as shown by underline as follows:

371 § 5. Place of meeting.

372 ~~Section 5.~~ The General Assembly shall meet and sit in Dover, the capital of ~~the~~ this State; provided, however, that  
373 in periods of emergency resulting from enemy attack, terrorism, disease, accident, or other natural or man-made disaster the  
374 General Assembly may temporarily meet and sit elsewhere.

375 Section 29. Amend § 6, Article II of the Delaware Constitution by making deletions as shown by strike through  
376 and insertions as shown by underline as follows:

377 § 6. Vacancies; tenure of office of persons elected to fill.

378 ~~Section 6.~~ Whenever there shall be a vacancy in either House of the General Assembly, by reason of failure to  
379 elect, ineligibility, death, ~~resignation~~ resignation, or otherwise, a writ of election shall be issued by the presiding officer of

380 the House in which the vacancy exists, or in case of necessity in such other manner as shall be provided by law; and the  
381 person thereupon chosen to fill such vacancy shall hold office for the residue of the term. And whenever there shall be such  
382 vacancy in either House, and the General Assembly is not in session, the Governor shall have power to issue a writ of  
383 election to fill such vacancy, which writ shall be executed as a writ issued by the presiding officer of either House in case of  
384 vacancy, and the person thereupon chosen to fill such vacancy shall hold office for the residue of the term.

385 Section 30. Amend § 7, Article II of the Delaware Constitution by making deletions as shown by strike through  
386 and insertions as shown by underline as follows:

387 § 7. President pro tempore, ~~Speaker~~ Speaker, and other officers; absence of presiding officers.

388 ~~Section 7.~~ The Senate at the first annual session of every new General Assembly shall choose ~~one~~ 1 of its members  
389 president pro tempore, who shall preside in the absence of the ~~Lieutenant Governor~~, Lieutenant Governor, or in case the  
390 latter shall become Governor or while ~~he or she continues~~ continuing in the exercise of the office of Governor by reason of  
391 disability of the Governor. The Senate shall also choose its other officers and in the absence of the ~~Lieutenant Governor~~  
392 Lieutenant Governor and its president pro tempore may, from time to time, as occasion may require, appoint ~~one~~ 1 of its  
393 members to preside. The House of Representatives at such first annual session shall choose ~~one~~ 1 of its members speaker  
394 and also choose its other officers, and in the absence of the speaker may from time to time, as occasion may require,  
395 appoint ~~one~~ 1 of its members to preside.

396 Section 31. Amend § 8, Article II of the Delaware Constitution by making deletions as shown by strike through  
397 and insertions as shown by underline as follows:

398 § 8 8. Each House as judge of elections and qualifications of its members; quorum; adjournments; compelling  
399 attendance.

400 ~~Section 8.~~ Each House shall be the judge of the elections, ~~returns~~ returns, and qualifications of its own members;  
401 and a majority of all the members elected to each House shall constitute a quorum to do business; but a smaller number  
402 may adjourn from day to day, and shall have power to compel the attendance of absent members, in such manner and under  
403 such penalties, as shall be deemed expedient.

404 Section 32. Amend § 9, Article II of the Delaware Constitution by making deletions as shown by strike through  
405 and insertions as shown by underline as follows:

406 § 9. Rules; punishment and expulsion of members; scope of powers.

407 ~~Section 9.~~ Each House may determine the rules of its proceedings, punish any of its members for disorderly  
408 behavior, and with the concurrence of two-thirds of all the members elected thereto expel a member, and shall have all  
409 other powers necessary for a branch of the Legislature of a free and independent State.

410 Section 33. Amend § 10, Article II of the Delaware Constitution by making deletions as shown by strike through  
411 and insertions as shown by underline as follows:

412 § 10. Journals; publication; entry of yeas and nays; passage of bills and resolutions.

413 ~~Section 10.~~ Each House shall keep a journal of its proceedings, and publish the same immediately after every  
414 session, except such parts as may require secrecy. The names of the members voting for and against any bill or joint  
415 resolution, except in relation to adjournment, shall on the final vote be entered on the journal; and the yeas and nays of the  
416 members on any question shall, at the desire of any member, be entered on the journal. No bill or joint resolution, except in  
417 relation to adjournment, shall pass either House unless the final vote shall have been taken by yeas and nays, nor without  
418 the concurrence of a majority of all the members elected to each House.

419 Section 34. Amend § 11, Article II of the Delaware Constitution by making deletions as shown by strike through  
420 and insertions as shown by underline as follows:

421 § 11. Accessibility to each House and Committees of the Whole.

422 ~~Section 11.~~ The doors of each House, and of Committees of the Whole, shall be open unless when the business is  
423 such as ought to be kept secret.

424 Section 35. Amend § 12, Article II of the Delaware Constitution by making deletions as shown by strike through  
425 and insertions as shown by underline as follows:

426 § 12. Consent of each House to adjournment.

427 ~~Section 12.~~ Neither House shall, without the consent of the other, adjourn for more than ~~three~~ 3 days, nor to any  
428 other place than that in which the ~~two~~ 2 Houses shall be sitting.

429 Section 36. Amend § 13, Article II of the Delaware Constitution by making deletions as shown by strike through  
430 and insertions as shown by underline as follows:

431 § 13. Immunity from arrest and questioning of speeches.

432 ~~Section 13.~~ The Senators and Representatives shall, in all cases, except treason, ~~felony~~ felony, or breach of the  
433 peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and  
434 returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

435 Section 37. Amend § 14, Article II of the Delaware Constitution by making deletions as shown by strike through  
436 and insertions as shown by underline as follows:

437 § 14.  ~~Holding dual office or~~ Appointment to certain civil offices; holding dual office; having interest in army or  
438 navy contract.

439           ~~Section 14.~~ No Senator or Representative shall, during the time for which ~~he or she~~ that person shall have been  
440 elected, be appointed to any civil office under this State which shall have been created, or the emoluments of which shall  
441 have been increased during such time. No member of Congress, nor any person holding any office under this State, or the  
442 United States, except officers usually appointed by the courts of justice respectively, ~~attorneys-at-law~~ attorneys-at-law, and  
443 officers of the militia, holding no disqualifying office, shall during ~~his or her~~ continuance in Congress or in office be a  
444 Senator or Representative; nor shall any person while concerned in any army or navy contract be a Senator or  
445 Representative.

446           Section 38. Amend § 15, Article II of the Delaware Constitution by making deletions as shown by strike through  
447 and insertions as shown by underline as follows:

448           § 15. Compensation, ~~expenses~~ expenses, and allowances of members.

449           ~~Section 15.~~ The President of the Senate and members of the General Assembly shall receive an annual salary and  
450 an annual expense allowance for transportation and such other necessary and proper purposes as the General Assembly  
451 shall by law provide. Funds appropriated hereunder shall be paid out of the Treasury of ~~the~~ this State.

452           Section 39. Amend § 16, Article II of the Delaware Constitution by making deletions as shown by strike through  
453 and insertions as shown by underline as follows:

454           § 16. Restriction of bills and resolutions to one subject; expression in title; exception.

455           ~~Section 16.~~ No bill or joint resolution, except bills appropriating money for public purposes, shall embrace more  
456 than one subject, which shall be expressed in its title.

457           Section 40. Amend § 17, Article II of the Delaware Constitution by making deletions as shown by strike through  
458 and insertions as shown by underline as follows:

459           § 17. Lotteries and other gambling.

460           (a) ~~Section 17.~~ All forms of gambling are prohibited in this State except the following:

461           (1) Lotteries under State control for the purpose of raising ~~funds~~, funds.

462           (2) Lotteries (other than slot machines, roulette, ~~craps~~ craps, and baccarat games) provided that each is  
463 sponsored and conducted under the limitations of Section 17B of this Article by companies, ~~organizations~~  
464 organizations, or societies which have been in existence for at least 2 years; provided, however, that no person who  
465 shall not have attained the age of 18 years shall participate in any lottery (where money is the prize) otherwise  
466 authorized by ~~the article~~, this Article.



467           ~~(e)(3)~~ Wagering or ~~betting~~ betting, by the use of pari-mutuel machines or ~~totalizers~~ totalizers, on horse  
468 races conducted at racetracks within or without ~~the~~ this State, provided that such wagering or betting may be conducted  
469 only either:

470           ~~(1)a.~~ Within the enclosure of any racetrack licensed under the laws of ~~the~~ this State to conduct a  
471 race ~~meeting, or~~ meeting.

472           ~~(2)b.~~ Within the enclosure of any racetrack licensed under the laws of ~~the~~ this State to receive and  
473 accept wagers or bets on electronically televised simulcasts of horse races.

474           ~~(4)~~ Bingo games as conducted under the limitations of ~~Section 17A.~~ Section 17A of this Article.

475           ~~(b)~~ The General Assembly shall enforce this Section by appropriate legislation.

476           Section 41. Amend § 17A, Article II of the Delaware Constitution by making deletions as shown by strike through  
477 and insertions as shown by underline as follows:

478           § 17A. Bingo games; organizations authorized to conduct; submission to referendum; districts; regulation;  
479 penalties.

480           ~~(a) Section 17A.~~ The game of ~~Bingo~~ bingo shall be lawful when sponsored and conducted by ~~Volunteer Fire~~  
481 ~~Companies, Veterans' Organizations, Religious or Charitable Organizations, or by Fraternal Societies~~ volunteer fire  
482 companies, veterans organizations, religious or charitable organizations, or by fraternal societies provided the net receipts  
483 or profits arising from the conducting or operating of such ~~Bingo~~ bingo games by the aforementioned ~~Companies,~~  
484 ~~Organizations, or Societies~~ companies, organizations, or societies are used solely for the promotion or achievement of the  
485 purposes of such ~~Companies, Organizations, or Societies,~~ companies, organizations, or societies, and provided further that  
486 the aforementioned ~~Companies, Organizations or Societies~~ companies, organizations, or societies are operated in a manner  
487 so as to come within the provisions of Section 170 of the ~~U. S.~~ U.S. Revenue Code and Regulations promulgated  
488 thereunder by the ~~U. S.~~ U.S. Secretary of the Treasury.

489           ~~1-(b)(1)~~ The General Assembly shall provide by law for the submission to the vote of the qualified electors of the  
490 several districts of ~~the~~ this State, or any of ~~them,~~ mentioned in subparagraph 2 of Section 17A of this article the districts,  
491 mentioned in paragraph (b)(2) of this Section at the ~~General Election~~ general election held in 1958, the question whether  
492 the playing of the game of "~~Bingo~~" bingo shall be licensed or prohibited within the limits thereof; and in every district in  
493 which there is a majority against license, no organization, mentioned in ~~Section 17A,~~ this Section, shall thereafter sponsor  
494 or permit the playing of "~~Bingo~~", bingo within ~~said~~ the district, until at a subsequent submission of such question a majority  
495 of votes shall be cast in ~~said~~ the district for license. Whenever a majority of all the members elected to each House of the  
496 General Assembly by the qualified electors in any ~~district~~ district, named in ~~subparagraph 2 of Section 17A of this Article~~

497 paragraph (b)(2) of this Section, shall request the submission of the question of license or no license to a vote of the  
498 qualified electors in ~~said the~~ the district, the General Assembly shall provide for the submission of such question to the  
499 qualified electors in such district at the next general election thereafter.

500 ~~2-(2)~~ Under ~~the provisions of~~ this Article, Sussex County shall comprise ~~one~~ 1 district, Kent County shall  
501 comprise ~~one~~ 1 district, the City of Wilmington, as its corporate limits now are or may hereafter be extended, ~~one~~ 1  
502 district, and the remaining part of New Castle County, ~~one~~ 1 district.

503 ~~3-(c)~~ The General Assembly shall provide necessary laws to carry out and enforce the provisions of this Article,  
504 enact laws governing the game of "~~Bingo~~" bingo under the limitations of this Article, and may provide such penalties as  
505 may be necessary to enforce same.

506 Section 42. Amend § 17B, Article II of the Delaware Constitution by making deletions as shown by strike through  
507 and insertions as shown by underline as follows:

508 § 17B. Lotteries not under State control; organizations authorized to conduct; submission to referendum; districts;  
509 regulation; penalties.

510 ~~(a) Section 17B.~~ Lotteries not under State control shall be lawful when sponsored and conducted by volunteer fire  
511 companies, veterans organizations, religious or charitable organizations, or by fraternal societies provided that ~~said the~~ the  
512 company, ~~organization~~ organization, or society has been in existence a minimum of 2 years and provided the net receipts or  
513 profits arising from the conducting or operating of such lotteries by the aforementioned companies, ~~organizations~~  
514 organizations, or societies are used solely for the promotion or achievement of the purposes of such companies,  
515 ~~organizations~~ organizations, or societies, and provided further that the aforementioned companies, ~~organizations~~  
516 organizations, or societies are operated in a manner so as to come within § 170 of the United States Revenue Code and  
517 regulations promulgated thereunder by the United States Secretary of the Treasury.

518 ~~1-(b)(1)~~ The General Assembly shall provide by law for the submission to the vote of the qualified electors of the  
519 several districts of ~~the this~~ the State, or any of them, mentioned in ~~paragraph 2 of this section~~ paragraph (b)(2) of this Section at  
520 the general election held in 1984, the question whether the playing of lotteries not under State control shall be licensed or  
521 prohibited within the limits thereof; and in every district in which there is a majority against license, no organization,  
522 mentioned in ~~this section~~, Section, shall thereafter sponsor or permit lotteries not under State control, within ~~said the~~ the  
523 district, until at a subsequent submission of such question a majority of votes shall be cast in ~~said the~~ the district for license.  
524 Whenever a majority of all the members elected to each House of the General Assembly by the qualified electors in any  
525 district named in ~~paragraph 2 of this section~~ paragraph (b)(2) of this Section shall request the submission of the question of

526 license or no license to a vote of the qualified electors in ~~said~~ the district, the General Assembly shall provide for the  
527 submission of such question to the qualified electors in such district at the next general election thereafter.

528 ~~2-(2)~~ Under this ~~article,~~ Article, Sussex County shall comprise 1 district, Kent County shall comprise 1  
529 district, the City of Wilmington, as its corporate limits now are or may hereafter be extended, 1 district, and the  
530 remaining part of New Castle County, 1 district.

531 ~~3-(c)~~ The General Assembly shall enact comprehensive legislation providing for licensing for all organizations  
532 conducting and regulating the conduct of lotteries under this ~~section~~ Section and may provide such penalties as may be  
533 necessary to enforce such legislation.

534 Section 43. Amend § 18, Article II of the Delaware Constitution by making deletions as shown by strike through  
535 and insertions as shown by underline as follows:

536 § 18. Divorce or alimony.

537 ~~Section 18.~~ No divorce shall be granted, nor alimony allowed, except by the judgment of a court, as shall be  
538 prescribed by general and uniform law.

539 Section 44. Amend § 19, Article II of the Delaware Constitution by making deletions as shown by strike through  
540 and insertions as shown by underline as follows:

541 § 19. Local or special laws relating to fences, livestock, ditches, school districts, and roads, highways, streets, ~~ete-~~  
542 lanes, or alleys.

543 ~~(a) Section 19.~~ The General Assembly shall not pass any local or special law relating to fences; the straying of  
544 livestock; ditches; the creation or changing the boundaries of school districts; or the laying out, opening, alteration,  
545 ~~maintenance~~ maintenance, or vacation, in whole or in part of any road, highway, street, ~~lane~~ lane, or alley; provided,  
546 however, that the General Assembly may by a vote of two-thirds of all the members elected to each House pass laws  
547 relating to the laying out, opening, ~~alteration~~ alteration, or maintenance of any road or highway which forms a continuous  
548 road or highway extending through at least a portion of the ~~three~~ 3 counties of ~~the~~ this State.

549 ~~(b)~~ No road, ~~highway~~ highway, or street, intended to be dedicated to public use and maintained at public expense,  
550 shall be constructed except in conformance with standards adopted by the agency charged with construction, reconstruction  
551 or maintenance of such road, ~~highway~~ highway, or street. Any road or street constructed solely for private use shall only be  
552 maintained at State expense after it has been constructed or reconstructed according to the standards established by the  
553 agency charged with the duty of maintaining such roads or streets.

554 Section 45. Amend § 20, Article II of the Delaware Constitution by making deletions as shown by strike through  
555 and insertions as shown by underline as follows:

556 § 20. Disclosure of personal or private interest of legislator in any pending measure.

557 ~~Section 20.~~ Any member of the General Assembly who has a personal or private interest in any measure or bill  
558 pending in the General Assembly shall disclose the fact to the ~~House of which he or she is a member~~ member's House and  
559 shall not vote thereon.

560 Section 46. Amend § 21, Article II of the Delaware Constitution by making deletions as shown by strike through  
561 and insertions as shown by underline as follows:

562 § 21. Conviction of crime as ban to public office.

563 ~~Section 21.~~ No person who shall be convicted of embezzlement of the public money, bribery, ~~perjury~~ perjury, or  
564 other infamous crime, shall be eligible to a seat in either House of the General Assembly, or capable of holding any office  
565 of trust, ~~honor~~ honor, or profit under this State.

566 Section 47. Amend § 22, Article II of the Delaware Constitution by making deletions as shown by strike through  
567 and insertions as shown by underline as follows:

568 § 22. Bribery of executive, judicial or legislative officers.

569 ~~Section 22.~~ Every person who shall give, ~~offer~~ offer, or promise, directly or indirectly, any money, testimonial,  
570 privilege, ~~personal advantage~~ personal advantage, or thing of value to any executive or judicial officer of this State or to  
571 any member of either House of the General Assembly for the purpose of influencing ~~him or her~~ in the performance of any  
572 ~~of his or her~~ official or public duties shall be deemed guilty of bribery, and shall be punished in such manner as shall be  
573 provided by law.

574 Section 48. Amend § 23, Article II of the Delaware Constitution by making deletions as shown by strike through  
575 and insertions as shown by underline as follows:

576 § 23. Statutes as public laws unless otherwise declared.

577 ~~Section 23.~~ Every statute shall be a public law unless otherwise declared in the statute itself.

578 Section 49. Amend § 24, Article II of the Delaware Constitution by making deletions as shown by strike through  
579 and insertions as shown by underline as follows:

580 § 24. Settlement of accounts of State Treasurer; ineligibility for legislative office until settlement.

581 [Repealed.]

582 Section 50. Amend § 25, Article II of the Delaware Constitution by making deletions as shown by strike through  
583 and insertions as shown by underline as follows:

584 § 25. Laws permitting zoning ordinances and use of land.

585           ~~Section 25.~~The General Assembly may enact laws under which municipalities and the County of Sussex and the  
586 County of Kent and the County of New Castle may adopt zoning ordinances, ~~laws~~ laws, or rules limiting and restricting to  
587 specified districts and regulating therein buildings and structures according to their construction and the nature and extent  
588 of their use, as well as the use to be made of land in such districts for other than agricultural purposes; and the exercise of  
589 such authority shall be deemed to be within the police power of ~~the~~ this State.

590           Section 51. Amend § 1, Article III of the Delaware Constitution by making deletions as shown by strike through  
591 and insertions as shown by underline as follows:

592           § 1. Governor to be supreme executive.

593           ~~Section 1.~~The supreme executive powers of ~~the~~ this State shall be vested in a Governor.

594           Section 52. Amend § 2, Article III of the Delaware Constitution by making deletions as shown by strike through  
595 and insertions as shown by underline as follows:

596           § 2. Election of Governor.

597           ~~Section 2.~~The Governor shall be chosen by the qualified electors of ~~the~~ this State, once in every ~~four~~ 4 years, at  
598 the general election.

599           Section 53. Amend § 3, Article III of the Delaware Constitution by making deletions as shown by strike through  
600 and insertions as shown by underline as follows:

601           § 3. Election returns, publications; election by General Assembly.

602           ~~Section 3.~~ The returns of every election for Governor shall be sealed up and immediately transmitted to the  
603 President of the Senate, or in case of a vacancy in the office of President of the ~~Senate, or his or her~~ Senate or absence from  
604 ~~the State~~ this State, to the Secretary of State, who shall keep the same until a President of the Senate shall be ~~chosen~~, chosen  
605 or returns to this State, to whom they shall be immediately transmitted after ~~his or her election~~, the President of the Senate's  
606 election or return to this State, who shall open and publish the same in the presence of the members of both Houses of the  
607 General Assembly. Duplicates of the ~~said~~ returns shall also be immediately lodged with the Prothonotary of each county.  
608 The person having the highest number of votes shall be Governor; but if ~~two~~ 2 or more shall be equal in the highest number  
609 of votes, the members of the ~~two~~ 2 Houses shall, by joint ballot, choose ~~one~~ 1 of them to be Governor; and if, upon such  
610 ballot, ~~two~~ 2 or more of them shall still be equal and highest in votes, the President of the Senate shall have the casting  
611 vote.

612           Section 54. Amend § 4, Article III of the Delaware Constitution by making deletions as shown by strike through  
613 and insertions as shown by underline as follows:

614           § 4. Contested elections of Governor or ~~Lieutenant Governor~~. Lieutenant Governor.

615 (a) ~~Section 4.~~ Contested elections of the Governor or ~~Lieutenant Governor~~ Lieutenant Governor shall be  
616 determined by a joint committee, consisting of one-third of all the members elected to each House of the General  
617 Assembly, to be selected by ballot of the Houses respectively. Every member of the committee shall take an oath or  
618 affirmation that in determining the ~~said election~~ ~~he or she~~ the member will faithfully discharge the trust reposed in ~~him or~~  
619 ~~her~~; the member; and the committee shall always sit with open doors.

620 (b) The Chief Justice, or, in case of ~~his or her~~ absence or disability, the Chancellor shall preside at the trial of any  
621 contested election of Governor or ~~Lieutenant Governor~~, Lieutenant Governor and shall decide questions regarding the  
622 admissibility of evidence, and shall, upon request of the committee, pronounce ~~his or her~~ an opinion upon other questions  
623 of law involved in the trial.

624 Section 55. Amend § 5, Article III of the Delaware Constitution by making deletions as shown by strike through  
625 and insertions as shown by underline as follows:

626 § 5. Term of office.

627 ~~Section 5.~~ The Governor shall hold ~~his or her~~ office during ~~four~~ 4 years from the third Tuesday in January next  
628 ensuing ~~his or her~~ the Governor's election; and shall not be elected a third time to ~~said~~ that office.

629 Section 56. Amend § 6, Article III of the Delaware Constitution by making deletions as shown by strike through  
630 and insertions as shown by underline as follows:

631 § 6. Qualifications.

632 ~~Section 6.~~ The Governor shall be at least ~~thirty~~ 30 years of ~~age~~, age and have been a citizen and inhabitant of the  
633 United States ~~twelve~~ 12 years next before the day of ~~his or her~~ election, and the last ~~six~~ 6 years of that term an inhabitant of  
634 this State, unless ~~he or she shall have been~~ absent on public business of the United States or of this State.

635 Section 57. Amend § 7, Article III of the Delaware Constitution by making deletions as shown by strike through  
636 and insertions as shown by underline as follows:

637 § 7. Compensation.

638 ~~Section 7.~~ The Governor shall, at stated times, receive for ~~his or her~~ services an adequate salary to be fixed by law,  
639 which shall be neither increased nor diminished during the period for which ~~he or she~~ the Governor shall have been elected.

640 Section 58. Amend § 8, Article III of the Delaware Constitution by making deletions as shown by strike through  
641 and insertions as shown by underline as follows:

642 § 8. Governor as commander-in-chief of state armed forces.

643 ~~Section 8.~~ ~~He or she~~ The Governor shall be commander-in-chief of the army and navy of this State, and of the  
644 militia, except when they shall be called into the service of the United States.

645 Section 59. Amend § 9, Article III of the Delaware Constitution by making deletions as shown by strike through  
646 and insertions as shown by underline as follows:

647 § 9. Appointing power; recess appointments; confirmation.

648 (a) ~~Section 9. He or she~~ The Governor shall have power, unless herein otherwise provided, to appoint, by and with  
649 the consent of a majority of all the members elected to the Senate, such officers as ~~he or she~~ the Governor is or may be  
650 authorized by this Constitution or by law to appoint. ~~He or she~~ The Governor shall have power to fill all vacancies that may  
651 happen during the recess of the Senate, in offices to which ~~he or she~~ the Governor may appoint, except in the offices of  
652 Chancellor, Chief Justice and Judges, by granting Commissions which shall expire at the end of the next session of the  
653 Senate.

654 (b) ~~He or she~~ The Governor shall have power to fill all vacancies that may happen in elective offices, except in the  
655 offices of ~~Lieutenant Governor~~ Lieutenant Governor and members of the General Assembly, by granting Commissions  
656 which shall expire when their successors shall be duly qualified.

657 (c) In case of vacancy in an elective office, except as aforesaid, a person shall be chosen to ~~said~~ the office for the  
658 full term at the next general election, unless the vacancy shall happen within ~~two~~ 2 months next before such election, in  
659 which case the election for ~~said~~ the office shall be held at the second succeeding general election.

660 (d) Unless herein otherwise provided, confirmation by the Senate of officers appointed by the Governor shall be  
661 required only where the salary, ~~fees~~ fees, and emoluments of office shall exceed the sum of ~~fifteen hundred dollars~~ \$1,500  
662 annually.

663 Section 60. Amend § 10, Article III of the Delaware Constitution by making deletions as shown by strike through  
664 and insertions as shown by underline as follows:

665 § 10. Secretary of State; appointment, term, ~~duties~~ duties, and compensation.

666 ~~Section 10.~~ The Governor shall appoint, by and with the consent of a majority of all the members elected to the  
667 Senate, a Secretary of State, who shall hold office during the pleasure of the Governor. ~~He or she~~ The Secretary of State  
668 shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required by either House  
669 of the General Assembly lay the same, and all papers, ~~minutes~~ minutes, and vouchers, relative thereto, before such House,  
670 and shall perform such other duties as shall be enjoined upon ~~him or her~~ the Secretary of State by law. ~~He or she~~ The  
671 Secretary of State shall have a compensation for ~~his or her~~ service to be fixed by law. The Secretary of State shall become a  
672 bona fide resident of ~~the~~ this State within ~~six~~ 6 months after ~~his or her~~ appointment; provided, however, that upon good  
673 cause shown, the Governor may grant an additional extension of ~~six~~ 6 months. After becoming a resident of ~~the~~ this State,

674 the Secretary of State shall continuously be a resident of ~~the~~ this State as long as he or she retains while in office. Failure to  
675 obtain or retain such residency shall be an automatic resignation from office.

676 Section 61. Amend § 11, Article III of the Delaware Constitution by making deletions as shown by strike through  
677 and insertions as shown by underline as follows:

678 § 11. County officers; qualifications; members of Congress, federal ~~employees~~ employees, and other officers  
679 holding dual office.

680 (a) ~~Section 11.~~ No person shall be elected or appointed to an office within a county who shall not have a right to  
681 vote for a Representative in the General ~~Assembly,~~ Assembly and have been a resident therein ~~one~~ 1 year next before ~~his or~~  
682 ~~her~~ the person's election or appointment, nor hold the office longer than ~~he or she~~ the person continues to reside in the  
683 county, unless herein otherwise provided.

684 (b) No member of Congress, nor any person holding or exercising any office under the United States, except  
685 officers usually appointed by the courts of justice respectively and attorneys-at-law, shall at the same time hold or exercise  
686 any office of profit under this State, unless herein otherwise provided.

687 (c) No person shall hold more than ~~one~~ 1 of the following offices at the same ~~time, to-wit: time:~~ time: Secretary of State,  
688 ~~Attorney General,~~ Attorney General, Insurance Commissioner, State Treasurer, Auditor of Accounts, Prothonotary, Clerk  
689 of the Peace, Register of Wills, Recorder, or Sheriff.

690 Section 62. Amend § 12, Article III of the Delaware Constitution by making deletions as shown by strike through  
691 and insertions as shown by underline as follows:

692 § 12. Commissions.

693 ~~Section 12.~~ All Commissions shall be in the name of ~~the State,~~ this State and shall be sealed with the great seal and  
694 signed by the Governor.

695 Section 63. Amend § 13, Article III of the Delaware Constitution by making deletions as shown by strike through  
696 and insertions as shown by underline as follows:

697 § 13. Removal of officers by Governor; procedure.

698 ~~Section 13.~~ The Governor may for any reasonable cause remove any officer, except the ~~Lieutenant Governor~~  
699 Lieutenant Governor and members of the General Assembly, upon the address of two-thirds of all the members elected to  
700 each House of the General Assembly. Whenever the General Assembly shall so address the Governor, the cause of removal  
701 shall be entered on the journals of each House. The person against whom the General Assembly may be about to proceed  
702 shall receive notice thereof, accompanied with the cause alleged for ~~his or her~~ the person's removal, at least ~~ten~~ 10 days  
703 before the day on which either House of the General Assembly shall act thereon.



704 Section 64. Amend § 14, Article III of the Delaware Constitution by making deletions as shown by strike through  
705 and insertions as shown by underline as follows:

706 § 14. Reports from executive departments.

707 ~~Section 14.~~ The Governor may require information in writing from the officers in the executive department, upon  
708 any subject relating to the duties of their respective offices.

709 Section 65. Amend § 15, Article III of the Delaware Constitution by making deletions as shown by strike through  
710 and insertions as shown by underline as follows:

711 § 15. Messages to General Assembly.

712 ~~Section 15.~~ ~~He or she~~ The Governor shall, from time to time, give to the General Assembly information of affairs  
713 concerning ~~the~~ this State and recommend to its consideration such measures as ~~he or she~~ the Governor shall judge  
714 expedient.

715 Section 66. Amend § 16, Article III of the Delaware Constitution by making deletions as shown by strike through  
716 and insertions as shown by underline as follows:

717 § 16. Special sessions of General Assembly; adjournment; special session of Senate.

718 ~~Section 16.~~ ~~He or she~~ The Governor may on extraordinary occasions convene the General Assembly by  
719 proclamation; and in case of disagreement between the ~~two~~ two Houses of the General Assembly with respect to the time of  
720 adjournment, adjourn them to such time as ~~he or she~~ the Governor shall think proper, not exceeding ~~three~~ 3 months. ~~He or~~  
721 ~~she~~ The Governor shall have power to convene the Senate in extraordinary session by proclamation, for the transaction of  
722 executive business.

723 Section 67. Amend § 17, Article III of the Delaware Constitution by making deletions as shown by strike through  
724 and insertions as shown by underline as follows:

725 § 17. Execution of laws.

726 ~~Section 17.~~ ~~He or she~~ The Governor shall take care that the laws be faithfully executed.

727 Section 68. Amend § 18, Article III of the Delaware Constitution by making deletions as shown by strike through  
728 and insertions as shown by underline as follows:

729 ~~§ 18.~~ 18. Approval or veto of bills, orders, ~~resolutions~~ resolutions, or votes; repassage over veto.

730 ~~Section 18.~~

731 (a) Every bill which shall have passed both Houses of the General Assembly shall, before it becomes law, be  
732 presented to the Governor; if ~~he or she~~ the Governor approves, ~~he or she~~ the Governor shall sign it; but if ~~he or she~~ the  
733 Governor shall not approve, ~~he or she~~ the Governor shall return it with ~~his or her objections~~ it, with objections, to the House

734 in which it shall have originated, which House shall enter the objections at large on the journal and proceed to reconsider it.  
735 If, after such reconsideration, three-fifths of all the members elected to that House shall agree to pass the bill, it shall be sent  
736 together with the objections to the other House, by which it shall likewise be reconsidered, and if approved by three-fifths  
737 of all the members elected to that House, it shall become a law; but in neither House shall the vote be taken on the day on  
738 which the bill shall be returned to it. In all such cases the votes of both Houses shall be determined by yeas and nays, and  
739 the names of the members voting for and against the bill shall be entered on the journal of each House respectively. If any  
740 bill shall not be returned by the Governor within ~~ten~~ 10 days, Sundays excepted, after it shall have been presented to ~~him or~~  
741 ~~her, the Governor,~~ the same shall be a law in like manner as if ~~he or she~~ the Governor had signed it, unless the General  
742 Assembly shall, by final adjournment, prevent its return, in which case it shall not become a law without the approval of the  
743 Governor.

744 (b) For purposes of return of ~~Bills~~ bills not approved by the Governor the General Assembly shall be considered to  
745 be continuously in Session until final adjournment and the Clerk of the House of Representatives and the Secretary of the  
746 Senate shall be deemed proper recipients of such returned bills during recess or adjournment of the General Assembly other  
747 than final adjournment.

748 (c) No bill shall become a law after the final adjournment of the General Assembly, unless approved by the  
749 Governor within ~~thirty~~ 30 days after such adjournment. The Governor shall have power to disapprove of any item or items  
750 of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the  
751 law, and the item or items of appropriation disapproved shall be void, unless repassed according to the rules and limitations  
752 prescribed for the passage of other bills, over the Executive veto.

753 (d) Every order and resolution to which the concurrence of both Houses of the General Assembly may be  
754 necessary, except on a question of adjournment and those matters dealing solely with the internal or administrative affairs  
755 of the General Assembly, shall be presented to the Governor, and before the same shall take effect be approved by ~~him or~~  
756 ~~her, the Governor,~~ or being disapproved by ~~him or her,~~ the Governor, shall be repassed by three-fifths of all the members  
757 elected to each House of the General Assembly, according to the rules and limitations prescribed in the case of a bill.

758 Section 69. Amend § 19, Article III of the Delaware Constitution by making deletions as shown by strike through  
759 and insertions as shown by underline as follows:

760 § 19. ~~Lieutenant Governor;~~ Lieutenant Governor; election, ~~term~~ term, and qualifications; President of the Senate;  
761 compensation.

762 (a) ~~Section 19. A Lieutenant Governor~~ A Lieutenant Governor shall be chosen at the same time, in the same  
763 manner, for the same term, and subject to the same provisions as the Governor; ~~he or she~~ the Lieutenant Governor shall

764 possess the same qualifications of eligibility for office as the Governor; ~~he or she~~ the Lieutenant Governor shall be  
765 President of the Senate, but shall have no vote unless the Senate be equally divided.

766 (b) ~~The Lieutenant Governor,~~ Lieutenant Governor, for ~~his or her~~ services as President of the Senate, shall receive  
767 the same compensation as the Speaker of the House of Representatives; ~~the Lieutenant Governor,~~ Lieutenant Governor for  
768 ~~his or her~~ services as a member of the Board of Pardons and for all other duties of the ~~said~~ office which may be provided by  
769 law, shall receive such compensation as shall be fixed by the General Assembly.

770 Section 70. Amend § 20, Article III of the Delaware Constitution by making deletions as shown by strike through  
771 and insertions as shown by underline as follows:

772 § 20. Vacancy in offices of both Governor and ~~Lieutenant Governor,~~ Lieutenant Governor; officers eligible to act;  
773 disability of Governor.

774 ~~Section 20.~~

775 (a)(1) In case the person elected Governor shall die or become disqualified before the commencement of ~~his or her~~  
776 the person elected Governor's term of office, or shall refuse to take the same, or in case of the removal of the Governor  
777 from office, or of ~~his or her~~ the Governor's death, resignation, or inability to discharge the powers and duties of the ~~said~~  
778 office, the same shall devolve on the ~~Lieutenant Governor,~~ Lieutenant Governor; and in case of removal, death, resignation,  
779 or inability of both the Governor and ~~Lieutenant Governor,~~ Lieutenant Governor, the Secretary of State, or if there be none,  
780 or in case of ~~his or her~~ the Secretary of State's removal, death, resignation, or inability, then the ~~Attorney General,~~ Attorney  
781 General, or if there be none, or in case of ~~his or her~~ the Attorney General's removal, death, resignation, or inability, then the  
782 President pro tempore of the ~~Senate~~ Senate, or if there be none, or in case of ~~his or her~~ the President pro tempore's removal,  
783 death, resignation, or inability, then the Speaker of the House of Representatives shall act as Governor until the disability of  
784 the Governor or ~~Lieutenant Governor~~ Lieutenant Governor is removed, or a Governor shall be duly elected and qualified.

785 (2) ~~The foregoing provisions of this section~~ Paragraph (a)(1) of this Section shall apply only to such persons  
786 as are eligible to the office of Governor under this Constitution at the time the powers and duties of the office of  
787 Governor shall devolve upon them respectively.

788 (3) Whenever the powers and duties of the office of Governor shall devolve upon the ~~Lieutenant Governor,~~  
789 Lieutenant Governor, Secretary of State, or ~~Attorney General,~~ his or her Attorney General, their office shall become  
790 vacant; and whenever the powers and duties of the office of Governor shall devolve upon the President pro tempore of  
791 the Senate, or the Speaker of the House of Representatives, ~~his or her~~ their seat as a member of the General Assembly  
792 shall become vacant; and any such vacancy shall be filled as directed by this Constitution; provided, however, that such  
793 vacancy shall not be created in case ~~either of the said persons~~ the Lieutenant Governor, Secretary of State, Attorney

794 General, President pro tempore of the Senate, or the Speaker of the House of Representatives shall be acting as  
795 Governor during a temporary disability of the Governor.

796 (b) Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of  
797 Representatives ~~his or her~~ the Governor's written declaration that ~~he or she~~ the Governor is unable to discharge the powers  
798 and duties of ~~his or her~~ office, and until ~~he or she~~ the Governor transmits to them a written declaration to the contrary, such  
799 powers and duties shall be discharged by the Lieutenant Governor as Acting Governor.

800 (c)(1) Whenever the Chief Justice of the Delaware Supreme Court, the President of the Medical Society of  
801 ~~Delaware~~ Delaware, and the Director of the Division of Substance Abuse and Mental Health, acting unanimously, transmit  
802 to the President pro tempore of the Senate and the Speaker of the House of Representatives, their written declaration that  
803 the Governor is unable to discharge the powers and duties of ~~his or her~~ office because of mental or physical disability, the  
804 Lieutenant Governor shall immediately assume the powers and duties of the office as Acting Governor.

805 (2) Thereafter, when the Governor transmits to the President pro tempore of the Senate and the Speaker of the  
806 House of Representatives ~~his or her~~ the Governor's written declaration that no disability exists, ~~he or she~~ the Governor  
807 shall resume the powers and duties of ~~his or her~~ office unless the Chief Justice of the Supreme Court of Delaware, the  
808 President of the Medical Society of ~~Delaware~~ Delaware, and the Director of the Division of Substance Abuse and  
809 Mental Health, acting unanimously, transmit within ~~five~~ 5 days to the President pro tempore of the Senate and the  
810 Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers  
811 and duties of ~~his or her~~ office because of mental or physical disability. Thereupon the General Assembly shall decide  
812 the issue, assembling within ~~seventy-two~~ 72 hours for that purpose if not then in session. If the General Assembly  
813 within ~~ten~~ 10 days after receipt of the latter written declaration determines by two-thirds vote of all the members  
814 elected to each house that the Governor is unable to discharge the powers and duties of ~~his or her~~ office because of  
815 mental or physical disability, the Lieutenant Governor shall continue to discharge same as Acting Governor; otherwise,  
816 the Governor shall resume the powers and duties of ~~his or her~~ office.

817 Section 71. Amend § 21, Article III of the Delaware Constitution by making deletions as shown by strike through  
818 and insertions as shown by underline as follows:

819 § 21. Election and term of office for certain state officers.

820 ~~Section 21.~~ The terms of ~~the Office~~ office of the Attorney General, the Insurance Commissioner, the Auditor of  
821 ~~Accounts~~ Accounts, and the State Treasurer shall be 4 years. These officers shall be chosen by the qualified electors of ~~the~~  
822 this State at general ~~elections~~, elections and be commissioned by the Governor.

823           Section 72. Amend § 22, Article III of the Delaware Constitution by making deletions as shown by strike through  
824 and insertions as shown by underline as follows:

825           § 22. Election and term of office of certain county officers; commission.

826           ~~Section 22.~~The terms of office of Clerks of the Peace, Registers of Wills, Recorders, and Sheriffs shall be 4 years.  
827 These officers shall be chosen by the qualified electors of the respective counties at ~~general elections,~~ elections and be  
828 commissioned by the Governor.

829           Section 73. Amend § 23, Article III of the Delaware Constitution by making deletions as shown by strike through  
830 and insertions as shown by underline as follows:

831           § 23. Place of office of certain county officers.

832           ~~Section 23.~~Prothonotaries, Clerks of the Peace, Registers of Wills, ~~Recorders~~ Recorders, and Sheriffs shall keep  
833 their offices in the town or place in each county in which the Superior Court is usually held.

834           Section 74. Amend § 24, Article III of the Delaware Constitution by making deletions as shown by strike through  
835 and insertions as shown by underline as follows:

836           § 24. Date of commencement of terms of certain State and County elective officers.

837           The terms of office of all State and County officers made elective by this Constitution begin on the first Tuesday  
838 in January next after their election, unless otherwise provided in this Constitution.

839           Section 75. Amend § 1, Article IV of the Delaware Constitution by making deletions as shown by strike through  
840 and insertions as shown by underline as follows:

841           § 1. Creation of courts.

842           ~~Section 1.~~ The judicial power of this State shall be vested in a Supreme Court, a Superior Court, a Court of  
843 Chancery, a Family Court, a Court of Common Pleas, a Register's Court, Justices of the Peace, and such other courts as the  
844 General Assembly, with the concurrence of two-thirds of all the ~~Members~~ members elected to each House, shall have by  
845 law established ~~prior to the time this amended Article IV of this Constitution becomes effective~~ before May 14, 1951, or  
846 shall from time to time by law establish after such time.

847           Section 76. Amend § 2, Article IV of the Delaware Constitution by making deletions as shown by strike through  
848 and insertions as shown by underline as follows:

849           § 2. Justices of Supreme Court and other State Judges; qualifications; residence; precedence.

850           (a) ~~Section 2.~~ There shall be ~~five~~ 5 Justices of the Supreme Court who shall be citizens of ~~the~~ this State and learned  
851 in the law. One of them shall be the Chief Justice who shall be designated as such by ~~his or her~~ appointment and who when  
852 present shall preside at all sittings of the Court. In the absence of the Chief ~~Justice~~ Justice, the Justice present who is senior

853 in length of service shall preside. If it is otherwise impossible to determine seniority among the Justices, they shall  
854 determine it by lot and certify accordingly to the Governor.

855 (b) In addition to members of the Supreme Court there shall be other State Judges, who shall be citizens of the  
856 State and learned in the law. They shall include: (1) the Chancellor and the Vice-Chancellors; (2) The President Judge and  
857 the Judges of the Superior Court, ~~three~~ 3 of whom shall be Resident-Associate Judges and ~~one~~ 1 of whom shall after  
858 appointment reside in each county of ~~the~~ this State; (3) the Chief Judge and the Judges of the Family Court; (4) the Chief  
859 Judge and Judges of the Court of Common Pleas, ~~one~~ 1 of whom after appointment shall reside in each county of ~~the~~ this  
860 State; and (5) the Chief Magistrate of the Justice of the Peace Court.

861 (c) There shall also be such number of additional Vice-Chancellors and Judges as may hereinafter be provided for  
862 by Act of the General Assembly. Each of such Vice-Chancellors and Judges shall be citizens of ~~the~~ this State and learned in  
863 the law.

864 (d) If it is otherwise impossible to determine seniority of service among the Vice-Chancellors or among the said  
865 Judges, they shall determine it by lot respectively and certify accordingly to the Governor.

866 (e) The tenure and status of the Justices of the Supreme Court and State Judges as shall have been appointed as  
867 provided for by the Constitution or by Act of the General Assembly ~~prior to the time this amended Article IV of this~~  
868 ~~Constitution becomes effective~~ before May 14, 1951, shall in no wise be affected.

869 Section 77. Amend § 3, Article IV of the Delaware Constitution by making deletions as shown by strike through  
870 and insertions as shown by underline as follows:

871 § 3. Appointment of judges; terms of office; vacancies; political representation; confirmation of appointment.

872 (a) ~~Section 3.~~ The Chief Justice and Justices of the Supreme Court, the Chancellor and Vice-Chancellors of the  
873 Court of Chancery, the President Judge and Judges of the Superior Court, the Chief Judge and Judges of the Family Court,  
874 the Chief Judge and Judges of the Court of Common Pleas, and the Chief Magistrate of the Justice of the Peace Court shall  
875 be appointed by the Governor, by and with the consent of a majority of all the members elected to the Senate, for a term of  
876 12 years each, and the persons so appointed shall enter upon the discharge of the duties of their respective offices upon  
877 taking the oath of office prescribed by this Constitution. The Governor shall submit ~~his or her~~ an appointment within a  
878 period from 30 days before to 90 days after the occurrence of a vacancy howsoever caused. If a vacancy shall occur, by  
879 expiration of term or otherwise, at a time when the Senate shall not be in session, the Governor shall within a period from  
880 30 days before to 90 days after the happening of any such vacancy convene the Senate for the purpose of confirming ~~his or~~  
881 ~~her~~ an appointment to fill ~~said~~ the vacancy and the transaction of such other executive business as may come before it. Such  
882 vacancy shall be filled as aforesaid for the full term. Notwithstanding a vacancy, whether occurring when the Senate is or is

883 not in session, an incumbent whose term has expired may hold over in office until the incumbent, or a new appointee, is  
884 confirmed and takes the oath of office for the next term, but in no event shall an incumbent whose term has expired hold  
885 over in office for more than 90 days after the expiration of the term. In all instances, the term of a new or reappointed Chief  
886 Justice or Justice of the Supreme Court, Chancellor or Vice-Chancellor of the Court of Chancery, President Judge or Judge  
887 of the Superior Court, ~~the Chief Judge and Judges or Judge~~ of the Family Court, ~~the Chief Judge and Judges or Judge~~ of the  
888 Court of Common Pleas, or Chief Magistrate of the Justice of the Peace Court shall begin after the occurrence of the  
889 vacancy and on the date the oath of office is taken, thus qualifying the individual to serve, but the appointment shall be  
890 forfeited if such oath is not taken within 30 days of confirmation.

891 (b) Appointments to the office of the State Judiciary shall at all times be subject to all of the following limitations:

892 (1) ~~First, three of the five~~ Three of the 5 Justices of the Supreme Court in office at the same time, shall be of  
893 ~~one~~ 1 major political party, and ~~two of said 2 of the~~ Justices shall be of the other major political party.

894 (2) ~~Second, at~~ At any time when the total number of Judges of the Superior Court shall be an even ~~number~~  
895 ~~number,~~ not more than ~~one-half~~ half of the members of all such offices shall be of the same political party; and at any  
896 time when the number of such offices shall be an odd number, then not more than a bare majority of the members of all  
897 such offices shall be of the same major political party, the remaining members of such offices shall be of the other  
898 major political party.

899 (3) ~~Third, at~~ At any time when the total number of the offices of the Justices of the Supreme Court, the Judges  
900 of the Superior Court, the ~~Chancellor~~ Chancellor, and all the Vice-Chancellors shall be an even number, not more than  
901 ~~one-half~~ half of the members of all such offices shall be of the same major political party; and at any time when the  
902 total number of such offices shall be an odd number, then not more than a bare majority of the members of all such  
903 offices shall be of the same major political party; the remaining members of the Courts above enumerated shall be of  
904 the other major political party.

905 (4) ~~Fourth, at~~ At any time when the total number of Judges of the Family Court shall be an even number, not  
906 more than ~~one-half~~ half of the Judges shall be of the same political party; and at any time when the total number of  
907 Judges shall be an odd number, then not more than a majority of ~~one~~ 1 Judge shall be of the same political party.

908 (5) ~~Fifth, at~~ At any time when the total number of Judges of the Court of Common Pleas shall be an even  
909 number, not more than ~~one-half~~ half of the Judges shall be of the same political party; and at any time when the total  
910 number of Judges shall be an odd number, then not more than a majority of ~~one~~ 1 Judge shall be of the same political  
911 party.

912           ~~(6) Sixth, before~~ Before sending the name of any person to the Senate for confirmation as the appointment of  
913 the Governor to a vacancy in any Judicial Office as aforesaid, the Governor shall, not less than ~~ten (10)~~ 10 days before  
914 sending the name of such person to the Senate for confirmation, address a public letter to the President of the Senate  
915 ~~informing him or her that he or she intends~~ stating the intention to submit to the Senate for confirmation as an  
916 appointment to such vacancy the name of the person ~~he or she~~ the Governor intends to appoint.

917           Section 78. Amend § 4, Article IV of the Delaware Constitution by making deletions as shown by strike through  
918 and insertions as shown by underline as follows:

919           § 4. Compensation of judges; method of payment; receipt of other ~~fees or~~ fees; holding other office.

920           ~~Section 4.~~ The Justices of the Supreme Court, the Chancellor and the Vice-Chancellor or Vice-Chancellors, the  
921 President Judge and Judges of the Superior Court, the Chief Judge and Judges of the Family Court, the Chief Judge and  
922 Judges of the Court of Common ~~Pleas~~ Pleas, and the Chief Magistrate of the Justice of the Peace Court shall respectively  
923 receive from ~~the~~ this State for their services compensations which shall be fixed by law and paid monthly and they shall not  
924 receive any fees or perquisites in addition to their salaries for business done by them except as provided by law. They shall  
925 hold no other office of profit.

926           Section 79. Amend § 5, Article IV of the Delaware Constitution by making deletions as shown by strike through  
927 and insertions as shown by underline as follows:

928           § 5. Composition of Superior Court; presiding judge; quorum.

929           ~~(a) Section 5.~~ The President Judge of the Superior Court and the Judges thereof shall compose the Superior Court,  
930 as hereinafter prescribed. In each of the ~~said~~ courts the President Judge when present shall preside, and in ~~his or her~~ the  
931 President Judge's absence the senior Judge present shall preside.

932           ~~(b)~~ One Judge shall constitute a quorum of the ~~said~~ courts, respectively, except in the Superior Court sitting to try  
933 cases of prosecution under Section 8 of Article V of this Constitution, when ~~two~~ 2 Judges shall constitute a quorum. One  
934 Judge may open and adjourn any of ~~said~~ the courts.

935           Section 80. Amend § 6, Article IV of the Delaware Constitution by making deletions as shown by strike through  
936 and insertions as shown by underline as follows:

937           § 6. Sessions of Superior Court.

938           ~~Section 6.~~ Subject to the provisions of Section 5 of this ~~Article~~ Article, ~~two~~ 2 or more sessions of the Superior  
939 Court may at the same time be held in the same ~~County~~ county or in different ~~Counties~~ counties.

940           Section 81. Amend § 7, Article IV of the Delaware Constitution by making deletions as shown by strike through  
941 and insertions as shown by underline as follows:



942 § 7. Jurisdiction of Superior Court.

943 ~~Section 7.~~The Superior Court shall have jurisdiction of all causes of a civil nature, real, ~~personal~~ personal, and  
944 mixed, at common law and all the other jurisdiction and powers vested by the laws of this State in the formerly existing  
945 Superior Court; and also shall have all the jurisdiction and powers vested by the laws of this State in the formerly existing  
946 Court of General Sessions of the Peace and Jail Delivery; and also shall have all the jurisdiction and powers vested by the  
947 laws of this State in the formerly existing Court of General Sessions; and also shall have all the jurisdiction and powers  
948 vested by the laws of this State in the formerly existing Court of Oyer and Terminer.

949 Section 82. Amend § 7A, Article IV of the Delaware Constitution by making deletions as shown by strike through  
950 and insertions as shown by underline as follows:

951 § 7A. Jurisdiction of Family Court.

952 ~~Section 7A.~~The Family ~~court~~ Court shall have all the jurisdiction and powers vested by the laws of this State in  
953 the Family Court.

954 Section 83. Amend § 7B, Article IV of the Delaware Constitution by making deletions as shown by strike through  
955 and insertions as shown by underline as follows:

956 § 7B. Jurisdiction of Court of Common Pleas.

957 ~~Section 7B.~~The Court of Common Pleas shall have all the jurisdiction and powers vested by the laws of this State  
958 in the Court of Common Pleas.

959 Section 84. Amend § 8, Article IV of the Delaware Constitution by making deletions as shown by strike through  
960 and insertions as shown by underline as follows:

961 § 8. Definitions of particular terms.

962 ~~Section 8.~~ The phrase "Supreme Court" as used in Section 4 of Article V of this Constitution and the The phrases  
963 "Superior Court," "Court of General Sessions of the Peace and Jail Delivery," "Court of Oyer and Terminer" and "Court of  
964 General Sessions" wherever found in the law of this State, elsewhere than in this ~~amended Article IV of this Constitution,~~  
965 Article, shall be read as and taken to mean, and hereafter printed as, the Superior Court provided for in this ~~amended Article~~  
966 IV of this Constitution, Article; and the phrase "Chief Justice" wherever found in the law of this State existing ~~at the time~~  
967 ~~this amended Article IV of this Constitution becomes effective, on May 14, 1951,~~ elsewhere than in this ~~amended Article~~  
968 IV of this Constitution, Article, shall be read as and taken to mean, and hereafter printed as President Judge of the Superior  
969 Court, as provided for in this ~~amended Article IV of this Constitution.~~ Article.

970 Section 85. Amend § 9, Article IV of the Delaware Constitution by making deletions as shown by strike through  
971 and insertions as shown by underline as follows:

972 § 9. Jurisdiction of Orphans' Court.

973 [~~Repealed 75 Del. Laws, c. § 53 53.~~]

974 Section 86. Amend § 10, Article IV of the Delaware Constitution by making deletions as shown by strike through  
975 and insertions as shown by underline as follows:

976 § 10. Composition and jurisdiction of Court of Chancery; initiation and decisions in causes and proceedings.

977 ~~Section 10.~~ The Chancellor and the Vice-Chancellor or Vice-Chancellors shall hold the Court of Chancery. One of  
978 them, respectively, shall sit alone in that court. This court shall have all the jurisdiction and powers vested by the laws of  
979 this State in the Court of Chancery. In any cause or matter in the Court of Chancery that is initiated by an application to a  
980 Judge of that Court, the application may be made directly to the Chancellor or a Vice-Chancellor. Causes or proceedings in  
981 the Court of Chancery shall be decided, and orders or decrees therein shall be made by the Chancellor or Vice-Chancellor  
982 who hears them, respectively.

983 Section 87. Amend § 11, Article IV of the Delaware Constitution by making deletions as shown by strike through  
984 and insertions as shown by underline as follows:

985 § 11. Jurisdiction of Supreme Court.

986 ~~(a) Section 11.~~ The Supreme Court shall have jurisdiction as follows:

987 ~~(1)(a)(1)~~ To receive appeals from the Superior Court in civil causes and to determine finally all matters of  
988 appeal in the interlocutory or final judgments and other proceedings of ~~said the~~ the Superior Court in civil ~~causes. Provided~~  
989 causes; provided that on appeal from a verdict of a jury, the findings of the jury, if supported by evidence, shall be  
990 conclusive.

991 ~~(1)(b)(2)~~ To receive appeals from the Superior Court in criminal ~~causes; causes~~ upon application of the  
992 accused in all cases in which the sentence shall be death, imprisonment exceeding ~~one~~ 1 month, or fine exceeding ~~One~~  
993 Hundred Dollars; \$100, and in such other cases as shall be provided by law; and to determine finally all matters of  
994 appeal on the judgments and proceedings of ~~said the~~ the Superior Court in criminal ~~causes. Provided; causes; provided,~~  
995 however, that appeals from the Superior Court in cases of prosecution under Section 8 of Article V of this Constitution  
996 shall be governed by the provisions of that Section.

997 ~~(1)(c)(3)~~ Notwithstanding any provisions of this Section to the contrary, to receive appeals from the Superior  
998 Court in criminal causes, upon application by ~~the~~ this State in all causes in which the Superior Court, or any inferior  
999 court an appeal from which lies to the Superior Court, has granted an accused any of the following: a new trial or  
1000 judgment of acquittal after a verdict, modification of a verdict, arrest of judgment, relief in any post-conviction  
1001 proceeding or in any action collaterally attacking a criminal judgment, or a new punishment hearing in a capital case

1002 after the court has imposed a sentence of death, or any order or judgment declaring any ~~act~~ Act of the General  
1003 Assembly, or any portion of any such ~~act~~, Act, to be unconstitutional under either the Constitution of the United States  
1004 or the State of Delaware, inoperative or unenforceable, except that no appeal shall lie where otherwise prohibited by  
1005 the double jeopardy clause of the Constitution of the United States or of this State. Notwithstanding anything in this  
1006 Article to the contrary, the General Assembly may by statute implement the jurisdiction herein conferred.

1007 ~~(2)~~(b) Wherever in this Constitution reference is made to a writ of error or a proceeding in error to the Superior  
1008 Court, such reference shall be construed as referring to the appeal provided for in ~~Section (1)(a) and Section (1)(b) of this~~  
1009 ~~Article.~~ paragraphs (a)(1) and (a)(2) of this Section.

1010 ~~(3)~~(c) To receive appeals from the Superior Court in cases of prosecution under Section 8 of Article V of this  
1011 Constitution and to determine finally all matters of appeal in such cases.

1012 ~~(4)~~(d) To receive appeals from the Court of Chancery and to ~~determine finally~~ determine, finally, all matters of  
1013 appeal in the interlocutory or final decrees and other proceedings in chancery.

1014 ~~(5)~~(e) To issue writs of prohibition, quo warranto, ~~certiorari~~ certiorari, and mandamus to the Superior Court, and  
1015 the Court of Chancery; or any of the Judges of the ~~said~~ courts and also to any inferior court or courts established or to be  
1016 established by ~~law~~ law, and to any of the Judges thereof and to issue all orders, ~~rules~~ rules, and processes proper to give  
1017 effect to the same. The General Assembly shall have power to provide by law in what manner the jurisdiction and power  
1018 hereby conferred may be exercised in vacation and whether by ~~one~~ 1 or more Justices of the Supreme Court.

1019 ~~(6)~~(f) To issue such temporary writs or orders in causes pending on appeal, or on writ of error, as may be  
1020 necessary to protect the rights of parties and any Justice of the Supreme Court may exercise this power when the court is  
1021 not in session.

1022 ~~(7)~~(g) To exercise such other jurisdiction by way of appeal, writ of ~~error~~ error, or of certiorari as the General  
1023 Assembly may from time to time confer upon it.

1024 ~~(8)~~(h) To hear and determine questions of law certified to it by other Delaware courts, the Supreme Court of the  
1025 United States, a Court of Appeals of the United States, a United States District Court, a United States Bankruptcy Court, the  
1026 United States Securities and Exchange Commission, the highest appellate court of any other state, the highest appellate  
1027 court of any foreign country, or any foreign governmental agency regulating the public issuance or trading of securities,  
1028 where it appears to the Supreme Court that there are important and urgent reasons for an immediate determination of such  
1029 questions by it. The Supreme Court may, by rules, define generally the conditions under which questions may be certified  
1030 to it and prescribe methods of certification.

1031 Section 88. Amend § 12, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1032 and insertions as shown by underline as follows:

1033 § 12. Composition of Supreme Court; designation of temporary Justices; quorum; opening and adjourning court.

1034 ~~Section 12.~~ A quorum of the Supreme Court shall consist of not less than ~~three~~ 3 Justices. The entire Court shall sit  
1035 in any criminal case in which the accused has been sentenced to death and in such other civil and criminal cases as the  
1036 Court, by rule, or the General Assembly, upon the concurrence of two-thirds of all the members elected to each house, shall  
1037 determine. In case of a lack of quorum by reason of vacancies in their number, incapacity, or disqualification to sit by  
1038 reason of interest, or to constitute a ~~three-member~~ 3-member panel of the Court, the Chief Justice of the Supreme Court, or  
1039 in case of ~~his or her~~ the Chief Justice's absence from ~~the~~ this State, disqualification, incapacity, or if there be a vacancy in  
1040 that office, the next qualified and available Justice, who by seniority is next in rank to the Chief Justice, shall have the  
1041 power to designate judges from among the judges of the constitutional courts to sit in the Supreme Court temporarily to  
1042 satisfy the number of Justices required by law. It shall be the duty of the judges of the constitutional courts so designated to  
1043 sit accordingly. No judge shall be so designated to sit in the Supreme Court in any ~~cause~~ case in which ~~he or she~~ the judge  
1044 sat below. Any ~~one~~ 1 of the Justices of the Supreme Court may open and adjourn court.

1045 Section 89. Amend § 13, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1046 and insertions as shown by underline as follows:

1047 § 13. Administrative head of courts; supervisory powers; designation of judges to ~~sit in Court of Chancery, or the~~  
1048 ~~Superior Court.~~ sit.

1049 ~~Section 13.~~ The Chief Justice of the Supreme Court, or in case of ~~his or her~~ absence from ~~the~~ this State,  
1050 disqualification, incapacity, or if there be a vacancy in that office, the next qualified and available ~~Justice~~ Justice, who by  
1051 seniority is next in rank to the Chief ~~Justice~~ Justice, shall be administrative head of all the courts in ~~the State,~~ this State and  
1052 shall have general administrative and supervisory powers over all the courts. Such powers shall include ~~but shall not be~~  
1053 ~~limited to~~ the following:

1054 (1) Upon the approval of a majority of the Justices of the Supreme ~~Court~~ Court, to adopt rules for the  
1055 administration of justice and the conduct of the business of any or all the courts in ~~this State.~~ Provided, State; provided,  
1056 however, that any other of the courts in this State may from time to time, subject to the exercise of the power in this  
1057 paragraph (1) conferred upon the Justices of the Supreme Court, adopt rules of pleading practice and procedure  
1058 applicable to such Court.

1059 (2) Upon written request made by the Chancellor, President Judge of the Superior Court, the Chief Judge of  
1060 the Family Court, or the Chief Judge of the Court of Common Pleas, or in the event of an absence or incapacity, by the

1061 next qualified and available Vice-Chancellor, or Judge, who is senior in length of service, to designate ~~one~~ 1 or more of  
1062 the State Judges ~~(including the Justices of the Supreme Court)~~ Judges, including the Justices of the Supreme Court, to  
1063 sit in the Court of Chancery, the Superior Court, the Family-Court Court, or the Court of Common Pleas, as the case  
1064 may be, and to hear and decide such causes in such Court and for such period of time as shall be designated. It shall be  
1065 the duty of the State Judge so designated to serve according to such designation as a Judge of the Court designated. The  
1066 provisions of this paragraph (2) shall not be deemed to limit in any manner the powers conferred upon the judges of the  
1067 Superior Court under Section 14 of this Article.

1068 Section 90. Amend § 14, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1069 and insertions as shown by underline as follows:

1070 § 14. Power of law judges to grant restraining orders and preliminary injunctions.

1071 ~~Section 14.~~The President Judge of the Superior Court or any Judge shall have power, in the absence of the  
1072 Chancellor and all the Vice-Chancellors from the county where any suit in equity may be instituted or during the temporary  
1073 disability of the Chancellor and all the Vice-Chancellors, to grant restraining orders, and the ~~said~~ President Judge or any  
1074 Judge shall have power, during the absence of the Chancellor and all the Vice-Chancellors from ~~the~~ this State or ~~his or her~~  
1075 ~~and their~~ collective temporary disability, to grant preliminary injunctions ~~pursuant to~~ under the rules and practice of the  
1076 Court of Chancery; provided that nothing herein contained shall be construed to confer general jurisdiction over the case.

1077 Section 91. Amend § 15, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1078 and insertions as shown by underline as follows:

1079 § 15. Judges ad litem; limitation and expiration of commission; compensation; persons not disqualified.

1080 ~~Section 15.~~The Governor shall have power to commission a judge or judges ad litem to sit in any cause in any of  
1081 ~~said~~ the Courts when by reason of legal exception to the Judges authorized to sit therein, or for other cause, there are not a  
1082 sufficient number of Judges available to hold such Court. The commission in such case shall confine the office to the cause  
1083 and it shall expire on the determination of the cause. The judge so appointed shall receive reasonable compensation to be  
1084 fixed by the General Assembly. A ~~Member~~ member of Congress, or any person holding or exercising an office under the  
1085 United States, shall not be disqualified from being appointed a judge ad litem.

1086 Section 92. Amend § 16, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1087 and insertions as shown by underline as follows:

1088 § 16. Scope of jurisdiction and process; costs.

1089 ~~Section 16.~~The jurisdiction of each of the aforesaid courts shall be coextensive with ~~the~~ the State. Process may be  
1090 issued out of each court, in any county, into every county. No costs shall be awarded against any party to a cause by reason

1091 of the fact that suit is brought in a county other than that in which the defendant or defendants may reside at the time of  
1092 bringing suit.

1093 Section 93. Amend § 17, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1094 and insertions as shown by underline as follows:

1095 § 17. Jurisdictional changes by General Assembly; appeals to Supreme Court.

1096 ~~Section 17.~~The General Assembly, notwithstanding anything contained in this Article, shall have power to repeal  
1097 or alter any Act of the General Assembly giving jurisdiction to the former Court of Oyer and Terminer, the former Superior  
1098 Court, the former Court of General Sessions of the Peace and Jail Delivery, the former Court of General Sessions, the  
1099 Superior Court hereby established, the Family Court hereby established, the Court of Common Pleas hereby established or  
1100 the Court of Chancery, in any matter, or giving any power to any of the ~~said~~ courts. The General Assembly shall also have  
1101 power to confer upon the Superior Court, the Family Court, the Court of Common ~~Pleas~~ Pleas, and the Court of Chancery  
1102 jurisdiction and powers in addition to those hereinbefore mentioned. Until the General Assembly shall otherwise direct,  
1103 there shall be an appeal to the Supreme Court in all cases in which there is an appeal, according to any Act of the General  
1104 Assembly, to the former Court of Errors and Appeals or to the former Supreme Court of this State.

1105 Section 94. Amend § 18, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1106 and insertions as shown by underline as follows:

1107 § 18. Powers of Chancellor, ~~Vice-Chancellors~~ Vice-Chancellors, and Judges.

1108 (a) ~~Section 18.~~Until the General Assembly shall otherwise provide, the Chancellor and the Vice-Chancellor or  
1109 Vice-Chancellors, respectively, shall exercise all the powers which any law of this State vests in the Chancellor, besides the  
1110 general powers of the Court of Chancery, and the President Judge of the Superior Court and the Judges of ~~said~~ the Courts  
1111 shall each singly exercise all the powers which any law of this State vests in the Judges singly of the former Superior Court,  
1112 whether as members of the Court or otherwise.

1113 (b) Until the General Assembly shall otherwise provide, the Chief Judge of the Family Court and the Judges of  
1114 ~~said~~ the Family Court, respectively, shall each singly exercise all the powers which any law of this State vests in the Judges  
1115 of Family Court, whether as members of the Court or otherwise, and the Chief Judge of the Court of Common Pleas and the  
1116 Judges of ~~said~~ Court, the Court of Common Pleas, respectively, shall each singly exercise all the powers which any law of  
1117 ~~the~~ this State vests in the Judges of the Court of Common Pleas, whether as members of the Court or otherwise.

1118 Section 95. Amend § 19, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1119 and insertions as shown by underline as follows:

1120 § 19. Instructions to jury.

1121            ~~Section 19.~~ Judges shall not charge juries with respect to matters of fact, but may state the questions of fact in  
1122 issue and declare the law.

1123            Section 96. Amend § 20, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1124 and insertions as shown by underline as follows:

1125            § 20. Trial by court of issues of fact in civil causes.

1126            ~~Section 20.~~ In civil causes where matters of fact are at issue, if the parties agree, such matters of fact shall be tried  
1127 by the court, and judgment rendered upon their decision thereon as upon a verdict by a jury.

1128            Section 97. Amend § 21, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1129 and insertions as shown by underline as follows:

1130            § 21. Amendments in civil pleadings and proceedings by Superior Court; examination of witnesses and parties.

1131            ~~Section 21.~~ In civil causes, when pending, the Superior Court shall have the power, before judgment, of directing,  
1132 upon such terms as it shall deem reasonable, amendments in pleadings and legal proceedings, so that by error in any of  
1133 them, the determination of causes, according to their real merits, shall not be hindered; and also of directing the  
1134 examination of witnesses and parties litigant.

1135            Section 98. Amend § 22, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1136 and insertions as shown by underline as follows:

1137            § 22. Payment into court pending action for debt or damages; costs.

1138            ~~Section 22.~~ At any time pending an action for debt or damages, the defendant may bring into court a sum of money  
1139 for discharging the same, together with the costs then ~~accrued~~ accrued, and the plaintiff not accepting the same, if upon the  
1140 final decision of the ~~cause, he or she~~ cause, the plaintiff shall not recover a greater sum than that so paid into ~~court for him~~  
1141 ~~or her, he or she~~ court, the plaintiff shall not recover any costs accruing after such payment, except where the plaintiff is an  
1142 executor or administrator.

1143            Section 99. Amend § 23, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1144 and insertions as shown by underline as follows:

1145            § 23. Survival of action; executor or administrator as party; continuance.

1146            ~~Section 23.~~ By the death of any party, no suit in chancery or at law, where the cause of action survives, shall abate,  
1147 but, until the General Assembly shall otherwise provide, suggestion of such death being entered of record, the executor or  
1148 administrator of a deceased petitioner or plaintiff may prosecute the ~~said~~ suit; and if a respondent or defendant dies, the  
1149 executor or administrator being duly serviced with a scire facias ~~thirty (30)~~ 30 days before the return thereof shall be  
1150 considered as a party to the suit, in the same manner as if ~~he or she had voluntarily made himself or herself a party; it had~~

1151 been done voluntarily; and in any of those cases, the court shall pass a decree, or render judgment for or against executors  
1152 or administrators as to right appertains. But where an executor or administrator of a deceased respondent or defendant  
1153 becomes a party, the court upon motion shall grant such a continuance of the cause as to the ~~judges~~ court shall appear  
1154 proper.

1155 Section 100. Amend § 24, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1156 and insertions as shown by underline as follows:

1157 § 24. Security for stay of proceedings on appeal or writ of error.

1158 ~~Section 24.~~ Whenever a person, not being an executor or administrator, appeals or applies to the Supreme Court  
1159 for a writ of error, such appeal or writ shall be no stay of proceedings in the court below unless the appellant or plaintiff in  
1160 error shall give sufficient security to be approved by the court below or by a judge of the Supreme Court that the appellant  
1161 or plaintiff in error shall prosecute respectively ~~his or her~~ the appeal or writ to effect, and pay the condemnation money and  
1162 all costs, or otherwise abide the decree in appeal or the judgment in error, if ~~he or she~~ the appellant or plaintiff in error fail  
1163 to make ~~his or her~~ the plea good.

1164 Section 101. Amend § 25, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1165 and insertions as shown by underline as follows:

1166 § 25. Chief Register in Chancery: appointment; powers and duties.

1167 ~~Section 25.~~ The Court of Chancery shall appoint a Chief Register in Chancery to hold office at the pleasure of ~~that~~  
1168 the Court. The Chief Register in Chancery shall be the Clerk of the Court of Chancery and shall appoint, with the  
1169 concurrence of the Court, a Register in Chancery in each county who shall also serve at the pleasure of the Court. The Chief  
1170 Register in Chancery may also appoint other deputies, issue process, and enter judgment and do such other things as are  
1171 according to law and the practice of the ~~court.~~ Court.

1172 Section 102. Amend § 26, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1173 and insertions as shown by underline as follows:

1174 § 26. Prothonotary as Clerk of Superior Court; powers and duties; entry of testatum fieri facias.

1175 ~~Section 26.~~ The Superior Court shall appoint a Prothonotary in each county to hold office at the pleasure of the  
1176 ~~said~~ Court. The Prothonotary of each County shall be the Clerk of the Superior Court in and for the County in which ~~he or~~  
1177 ~~she holds office.~~ the office is held. ~~He or she~~ The Prothonotary may issue process, take recognizance of ~~bail~~ bail, and enter  
1178 judgments, according to law and the practice of the ~~court.~~ Court. No judgment in ~~one~~ 1 county shall bind lands or tenements  
1179 in another until a testatum fieri facias being issued shall be entered of record in the office of the Prothonotary of the County  
1180 wherein the lands or tenements are situated. Such Prothonotary shall perform all duties heretofore performed by the Clerk



1181 of the Peace as Clerk of the former Court of General Sessions and the former Court of Oyer and Terminer. This ~~section~~  
1182 Section shall not be interpreted to prevent the transfer of a judgment from any ~~court~~ Court of ~~one~~ 1 county to the Superior  
1183 Court of another county ~~pursuant to legislation under a law~~ enacted by the General Assembly, nor shall it be construed to  
1184 require the issuance or entry into the record of a testatum fieri facias when a judgment is transferred from a court of ~~one~~ 1  
1185 county to the Superior Court of another county ~~pursuant to legislation under a law~~ enacted by the General Assembly.

1186 Section 103. Amend § 27, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1187 and insertions as shown by underline as follows:

1188 § 27. Clerk of Supreme Court; term of office and compensation.

1189 ~~Section 27.~~ The Supreme Court shall have the power to appoint a Clerk to hold office at the pleasure of the ~~said~~  
1190 Court. ~~He or she~~ The Clerk shall receive from ~~the~~ this State for ~~his or her~~ services a compensation which shall be fixed  
1191 from time to time by the ~~said~~ Court and paid monthly.

1192 Section 104. Amend § 28, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1193 and insertions as shown by underline as follows:

1194 § 28. Criminal jurisdiction of inferior courts and justices of the peace; regulation of jurisdiction; indictment; jury  
1195 trial; appeals.

1196 ~~(a) Section 28.~~ The General Assembly may by law give to any inferior courts by it established or to be established,  
1197 or to ~~one~~ 1 or more justices of the peace, jurisdiction of the following criminal ~~matters following, that is to say~~ matters:  
1198 assaults and batteries, carrying concealed a deadly weapon, disturbing meetings held for the purpose of religious worship,  
1199 nuisances, and such other misdemeanors as the General Assembly may from time to time, with the concurrence of two-  
1200 thirds of all the ~~Members~~ members elected to each House, prescribe.

1201 ~~(b)~~ The General Assembly may by law regulate this jurisdiction, and provide that the proceedings shall be with or  
1202 without indictment by grand jury, or trial by petit jury, and may grant or deny the privilege of appeal to the Superior Court;  
1203 provided, however, that there shall be an appeal to the Superior Court in all cases in which the sentence shall be  
1204 imprisonment exceeding ~~one~~ (1) 1 month, or a fine exceeding ~~One Hundred Dollars (\$100.00).~~ \$100.

1205 Section 105. Amend § 29, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1206 and insertions as shown by underline as follows:

1207 § 29. Justices of the Peace; ~~term of office; powers of the Chief Magistrate and Justices of the Peace.~~ terms of  
1208 office.

1209 ~~Section 29.~~ There shall be ~~appointed, as hereinafter provided,~~ appointed such number of persons to the Office of  
1210 Justice of the Peace as directed by law, who shall be commissioned as follows:

1211           (a)(1) Upon first appointment and confirmation, a Justice of the Peace shall be commissioned for four (4)  
1212 years: for 4 years.

1213           (b)(2) Upon second or third appointment and confirmation, a Justice of the Peace shall be commissioned for  
1214 six (6) years: for 6 years.

1215           (e)(3) Upon fourth or subsequent appointments and confirmation, a Justice of the Peace shall be  
1216 commissioned for eight (8) for 8 years.

1217           Section 106. Amend § 30, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1218 and insertions as shown by underline as follows:

1219           § 30. Justices of the Peace, Chief Magistrate, and judges of ~~legislative~~ legislatively-created courts; appointment by  
1220 Governor; terms of office.

1221           ~~Section 30.~~ Justices of the Peace and the judges of such courts as the General Assembly may establish, or shall  
1222 have established ~~prior to the time this amended Article IV of this Constitution becomes effective, before May 14, 1951,~~  
1223 pursuant to under the provisions of Section 1 or Section 28 of this Article, shall be appointed by the Governor, by and with  
1224 the consent of a majority of all the ~~Members~~ members elected to the Senate, for such terms as shall be fixed by this  
1225 Constitution or by law. The Chief Magistrate shall be appointed and confirmed subject to the provisions of Section 3 of this  
1226 Article.

1227           Section 107. Amend § 31, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1228 and insertions as shown by underline as follows:

1229           § 31. Registers of Wills; depositions of witnesses; process; appeals to Court of Chancery; disqualification of  
1230 Register for interest.

1231           ~~Section 31.~~ The Registers of Wills of the several counties shall respectively hold the Register's Court in each  
1232 County. Upon the litigation of a cause the depositions of the witnesses examined shall be taken at large in writing and made  
1233 part of the proceedings in the cause. This court may issue process throughout ~~the~~ this State. Appeals may be taken from a  
1234 Register's Court to the Court of Chancery. In cases where a Register of Wills is interested in questions concerning the  
1235 probate of wills, the granting of letters of administration, or executors' or administrators' accounts, the cognizance thereof  
1236 shall belong to the Court of Chancery.

1237           Section 108. Amend § 32, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1238 and insertions as shown by underline as follows:

1239           § 32. Adjustment and settlement of executors' and administrators' accounts; notice; hearing of exceptions in Court  
1240 of Chancery; transfer of jurisdiction; appeals.

1241 (a) ~~Section 32.~~ An executor or administrator shall file every account with the Register of Wills for the County,  
1242 who shall, as soon as conveniently may be, carefully examine the particulars with the proofs thereof, in the presence of such  
1243 executor or administrator, and shall adjust and settle the same according to the right of the matter and the law of the land;  
1244 which account so settled shall remain in ~~his or her~~ the Register of Wills office for inspection; and the executor, or  
1245 administrator, shall within ~~three (3)~~ 3 months after such settlement give notice in writing to all persons entitled to shares of  
1246 the estate, or to their guardians, respectively, if residing within ~~the~~ this State, that the account is lodged in the ~~said~~ office for  
1247 inspection.

1248 (b) Exceptions may be made by persons concerned to both sides of every such account, either denying the justice  
1249 of the allowances made to the accountant or alleging further charges against ~~him or her~~; the accountant; and the exceptions  
1250 shall be heard in the Court of Chancery for the County; and thereupon the account shall be adjusted and settled according to  
1251 the right of the matter and the law of the land.

1252 (c) The General Assembly shall have power to transfer to the Court of Chancery all or a part of the jurisdiction by  
1253 this Constitution vested in the Register of Wills and to vest in the Court of Chancery all or a part of such jurisdiction and to  
1254 provide for appeals from that Court exercising such jurisdiction.

1255 Section 109. Amend § 33, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1256 and insertions as shown by underline as follows:

1257 § 33. Style of process and public acts; prosecutions in name of State.

1258 ~~Section 33.~~ The style in all process and public acts shall be THE STATE OF DELAWARE. Prosecutions shall be  
1259 carried on in the name of ~~the~~ this State.

1260 Section 110. Amend § 34, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1261 and insertions as shown by underline as follows:

1262 § 34. Continuation in office and designation of certain judicial officers.

1263 ~~Section 34.~~ The Chancellor, Chief ~~Justice~~ Justice, and Judges in office at on and immediately before ~~the time this~~  
1264 ~~amended Article IV of this Constitution becomes effective~~ May 14, 1951, shall hold their respective offices until the  
1265 expiration of their terms respectively and shall receive the compensation provided by law. They shall, however, be hereafter  
1266 designated as follows:

1267 (1) The Chancellor shall continue to be designated as ~~Chancellor~~; Chancellor.

1268 (2) The Chief Justice shall hereafter be designated as President Judge of the Superior ~~Court~~; Court.

1269 (3) The Judges shall hereafter be designated as Judges of the Superior Court.

1270           (4) ~~The Vice-Chancellor~~Vice-Chancellor, in office at on and immediately before ~~the time this amended~~  
1271 ~~Article IV of this Constitution becomes effective~~ May 14, 1951, shall hold ~~his or her~~ office until the expiration of the  
1272 period of ~~twelve~~ 12 years from the date of the commission for the office of Vice-Chancellor held by ~~him or her at the~~  
1273 ~~time this amended Article IV of this Constitution becomes effective~~ the Vice-Chancellor on May 14, 1951, and shall  
1274 receive the compensation provided by law. ~~He or she~~ The Vice-Chancellor shall continue to be designated as Vice-  
1275 Chancellor.

1276           Section 111. Amend § 34A, Article IV of the Delaware Constitution by making deletions as shown by strike  
1277 through and insertions as shown by underline as follows:

1278           § 34A. Continuation in office and designation of judicial officers of the Family Court and the Court of Common  
1279 Pleas.

1280           ~~Section 34A.~~ The Chief Judge and the Judges of the Family Court and the Chief Judge and the Judges of the Court  
1281 of Common ~~Pleas~~ Pleas, in office at on and immediately before ~~the time this amended Article IV of this Constitution~~  
1282 ~~becomes effective~~ May 14, 1951, shall hold their respective offices until the expiration of their terms, respectively, and  
1283 shall receive the compensation provided by law.

1284           Section 112. Amend § 35, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1285 and insertions as shown by underline as follows:

1286           § 35. Proceedings pending at time of 1951 amendment; books, ~~records~~ records, and papers; effect of ~~amended~~  
1287 ~~article~~ 1951 amendment on Court of Chancery.

1288           (a) ~~Section 35.~~ All writs of error and appeals and proceedings pending, ~~at the time this amended Article IV of this~~  
1289 ~~Constitution becomes effective,~~ on May 14, 1951, in the Supreme Court as heretofore constituted shall be proceeded within  
1290 the Supreme Court hereby established, and all the books, ~~records~~ records, and papers of the ~~said~~ Supreme Court as  
1291 heretofore constituted shall be the books, ~~records~~ records, and papers of the Supreme Court hereby established.

1292           (b) All suits, proceedings and matters pending, ~~at the time this amended Article IV of this Constitution becomes~~  
1293 ~~effective,~~ on May 14, 1951, in the Superior Court as heretofore constituted shall be proceeded within the Superior Court  
1294 hereby established and all the books, ~~records~~ records, and papers of the ~~said~~ Superior Court as heretofore constituted shall  
1295 be the books, ~~records~~ records, and papers of the Superior Court hereby established.

1296           (c) All indictments, ~~proceedings~~ proceedings, and matters of a criminal nature pending in the former Court of  
1297 General Sessions and in the former Court of Oyer and Terminer, ~~at the time this amended Article IV of this Constitution~~  
1298 ~~becomes effective,~~ on May 14, 1951, and all books, ~~records~~ records, and papers of ~~said~~ the former Court of General  
1299 Sessions and former Court of Oyer and Terminer shall be transferred to the Superior Court hereby established, and the ~~said~~

1300 indictments, ~~proceedings~~ proceedings, and matters pending shall be proceeded with to final judgment and determination in  
1301 the ~~said~~ Superior Court hereby established.

1302 (d) The Court of Chancery is not affected by ~~this amended Article IV of this Constitution~~ the amendment to this  
1303 Constitution enacted by Chapter 109 of Volume 48 of the Laws of Delaware otherwise than by the provisions with respect  
1304 to a Vice-Chancellor or Vice-Chancellors.

1305 Section 113. Amend § 36, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1306 and insertions as shown by underline as follows:

1307 § 36. Abolition of Orphans' Court; transfer of jurisdiction and powers.

1308 [~~Repealed 75 Del. Laws, c. § 53- 53.~~]

1309 Section 114. Amend § 37, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1310 and insertions as shown by underline as follows:

1311 § 37. Court on the Judiciary.

1312 (a) ~~Section 37-~~A Court on the Judiciary is hereby created consisting of the Chief Justice and the Justices of the  
1313 Supreme Court, the Chancellor, the President Judge of the Superior Court, the Chief Judge of the Family Court, the Chief  
1314 Judge of the Court of Common-Pleas Pleas, and the Chief Magistrate of the Justice of the Peace Court.

1315 (b) Any judicial officer appointed by the Governor may be censured or removed or retired by the Court on the  
1316 Judiciary ~~as herein provided-~~ under this Section.

1317 (c) A judicial officer may be censured or removed by virtue of this ~~section~~ Section for wilful misconduct in office,  
1318 wilful and persistent failure to perform ~~his or her~~ duties, the commission after appointment of an offense involving moral  
1319 turpitude, or other persistent misconduct in violation of the Canons of Judicial Ethics as adopted by the ~~Delaware~~ Supreme  
1320 Court from time to time.

1321 (d) A judicial officer may be retired by virtue of this ~~section~~ Section for permanent mental or physical disability  
1322 interfering with the proper performance of the duties of ~~his or her~~ office.

1323 (e) No judicial officer shall be censured or removed or retired under this ~~section~~ Section unless ~~he or she has been~~  
1324 served with a written statement of the charges against ~~him or her,~~ the judicial officer, or of the grounds of ~~his or her~~  
1325 retirement, and shall have had an opportunity to be heard in accordance with due process of law. The affirmative  
1326 concurrence of not less than two-thirds of the members of the Court on the Judiciary shall be necessary for the censure or  
1327 removal or retirement of a judicial officer. The Court on the Judiciary shall be convened for appropriate action upon the  
1328 order of the Chief Justice, or upon the order of any other ~~three~~ 3 members of the Court on the Judiciary. All hearings and

1329 other proceedings of the Court on the Judiciary shall be private, and all records except a final order of removal or retirement  
1330 shall be confidential, unless the judicial officer involved shall otherwise request.

1331 (f) Upon an order of removal, the judicial officer shall thereby be removed from office, all of his or her authority,  
1332 rights and privileges as a judicial officer shall cease from the date of the order, and a vacancy shall be deemed to exist as of  
1333 that date. Upon an order of retirement, the judicial officer shall thereby be retired with such rights and privileges as may be  
1334 provided by law for the disability retirement of a judicial officer, and a vacancy shall be deemed to exist as of the date of  
1335 retirement.

1336 (g) In the absence or disqualification of a member of the Court on the Judiciary, the Chief Justice, or in his or her  
1337 the Chief Justice's absence or disqualification the Senior Associate Justice, the next qualified and available Justice, who by  
1338 seniority is next in rank to the Chief Justice, shall appoint a substitute member pro tempore.

1339 (h) The Court on the Judiciary shall have:

1340 (a)(1) ~~the~~ The power to summon witnesses to appear and testify under oath and to compel the production of  
1341 books, ~~papers papers,~~ and documents, and documents.

1342 (b)(2) ~~the~~ The power to adopt rules establishing procedures for the investigation and trial of a judicial officer  
1343 ~~hereunder.~~ under this Section.

1344 Section 115. Amend § 38, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1345 and insertions as shown by underline as follows:

1346 § 38. Retired Judges and Justices; temporary assignment.

1347 ~~Section 38.~~ A former State Judge or a former Justice of the Supreme Court, who is retired and is receiving a state  
1348 judicial pension and who assents to active judicial duty and who is not engaged in the practice of law, upon designation of  
1349 the Chief Justice of the Supreme Court, or in case of ~~his or her~~ the Chief Justice's absence from ~~the~~ this State,  
1350 disqualification, incapacity, or if there be a vacancy in that office, upon designation of the next qualified and available  
1351 Justice, who by seniority is next in rank to the Chief Justice, shall be authorized to sit temporarily in the court from which  
1352 ~~he or she~~ the former State Judge or Justice retired or in any other court to which to which he or she could be designated  
1353 designatable under the Constitution and statutes of ~~the~~ this State if ~~he or she~~ the former State Judge or Justice still held the  
1354 judicial position from which ~~he or she~~ the former State Judge or Justice retired. Any person so designated shall receive  
1355 compensation as the General Assembly shall provide. Nothing herein shall authorize the designation of any former State  
1356 Judge or a former Justice of the Supreme Court to sit in the Supreme Court except temporarily to fill up the number of that  
1357 Court to the required quorum. The term "State Judge" as used in this ~~section~~ Section means a Chancellor or Vice-  
1358 Chancellor of the Chancery ~~Court or a Court,~~ President Judge Judge, or Judge of the Superior Court.

1359 Section 116. Amend § 39, Article IV of the Delaware Constitution by making deletions as shown by strike through  
1360 and insertions as shown by underline as follows:

1361 § 39. Senior judges.

1362 (a) ~~Section 39.~~The office of Senior Judge is hereby created. Any retired judge of a court established by ~~this~~  
1363 ~~amended Article IV of this Constitution~~ the amendment to this Constitution enacted by Chapter 109 of Volume 48 of the  
1364 Laws of Delaware or by ~~aet~~ Act of the General Assembly, who is duly qualified and appointed, may serve as a Senior  
1365 Judge. The qualifications, manner of appointment, term of office, compensation, duties, and all other matters relating to the  
1366 office of the Senior Judge shall be as specified by statute.

1367 (b) Senior Judges are subject to the Code of Judicial Conduct and are subject to censure, ~~removal~~ removal, or  
1368 retirement by the Court on the Judiciary in accordance with Section 37 of this ~~Article IV.~~ Article.

1369 (c) Senior Judges shall not be counted for purposes of determining the political representation on any court or on  
1370 any combination of courts under Section 3 of this ~~Article IV.~~ Article.

1371 Section 117. Amend § 1, Article V of the Delaware Constitution by making deletions as shown by strike through  
1372 and insertions as shown by underline as follows:

1373 § 1. Time and manner of holding general election.

1374 ~~Section 1.~~The general election shall be held biennially on the Tuesday next after the first Monday in the month of  
1375 ~~November,~~ November, and shall be by ballot; but the General Assembly may by law prescribe the means, ~~methods~~  
1376 methods, and instruments of voting so as best to secure secrecy and the independence of the voter, preserve the freedom  
1377 and purity of ~~elections~~ elections, and prevent fraud, ~~corruption,~~ corruption, and intimidation thereat.

1378 Section 118. Amend § 2, Article V of the Delaware Constitution by making deletions as shown by strike through  
1379 and insertions as shown by underline as follows:

1380 § 2. Qualifications for voting; members of the Armed Services of the United States stationed within State; persons  
1381 disqualified; forfeiture of right.

1382 ~~Section 2.~~

1383 (a) Every citizen of this State of the age of ~~twenty-one~~ 21 years who shall have been a resident thereof ~~one~~ 1 year  
1384 next preceding an election, and for the last ~~three~~ 3 months a resident of the county, and for the last ~~thirty~~ 30 days a resident  
1385 of the hundred or election district in which ~~he or she~~ the citizen may offer to vote, and in which ~~he or she~~ the citizen shall  
1386 have been duly registered as hereinafter provided for, shall be entitled to vote at such election in the hundred or election  
1387 district of which ~~he or she~~ the citizen shall at the time be a resident, and in which ~~he or she~~ the citizen shall be registered,  
1388 for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the

1389 vote of the people; provided, however, that no person who shall attain the age of ~~twenty-one~~ 21 years after the first day of  
1390 January in the year of our Lord, ~~nineteen hundred,~~ 1900, or after that date shall become a citizen of the United States, shall  
1391 have the right to vote unless ~~he or she~~ the person shall be able to read this Constitution in the English language and write  
1392 ~~his or her~~ the person's name; but these requirements shall not apply to any person who by reason of physical disability shall  
1393 be unable to comply therewith; and provided also, that no person in the military, naval, or marine service of the United  
1394 States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or  
1395 naval place or station within this State; and no person adjudged mentally incompetent or person convicted of a crime  
1396 deemed by law felony, or incapacitated under the provisions of this Constitution from voting, shall enjoy the right of an  
1397 elector; and the General Assembly may impose the forfeiture of the right of suffrage as a punishment for crime.

1398 (b) Any person who is disqualified as a voter because of a conviction of a crime deemed by law a felony shall have  
1399 such disqualification removed upon being pardoned, or after the expiration of the sentence, whichever may first occur. The  
1400 term "sentence" as used in this Section shall include all periods of modification of a sentence, such as, but not limited to,  
1401 probation, ~~parole~~ parole, and suspension. The provision of this subsection shall not apply to (1) those persons who were  
1402 convicted of any felony of murder or manslaughter, (except vehicular homicide); or (2) those persons who were convicted  
1403 of any felony constituting an offense against public administration involving bribery or improper influence or abuse of  
1404 office, or any like offense under the laws of any state or local jurisdiction, or of the United States, or of the District of  
1405 Columbia; or (3) those persons who were convicted of any felony constituting a sexual offense, or any like offense under  
1406 the laws of any state or local jurisdiction or of the United States or of the District of Columbia.

1407 Section 119. Amend § 2A, Article V of the Delaware Constitution by making deletions as shown by strike through  
1408 and insertions as shown by underline as follows:

1409 § 2A. Residence requirements in case of intrastate removal; election of President and Vice-President of United  
1410 States; qualifications.

1411 ~~Section 2A.~~ The General Assembly shall extend to ~~any elector in the state~~ any elector of this State who shall have  
1412 changed ~~his or her~~ residence from ~~one~~ 1 county, hundred, or election district to another, but who has not resided therein for  
1413 a sufficient time so as to be eligible to vote in the county, ~~hundred~~ hundred, or election district to which ~~he or she~~ the  
1414 elector has removed, the right to vote for the choice of electors for President and Vice-President of the United States, but  
1415 for no other offices, provided ~~such citizen~~ the elector would have been eligible to vote within this State had ~~he or she~~ the  
1416 elector not moved, and provided that ~~he or she~~ the elector is not entitled to vote for the choice of electors for President or  
1417 Vice-President of the United States in any other ~~place~~ place, and provided further that ~~such citizen~~ the elector would be an



1418 otherwise qualified voter under this Constitution except that ~~he or she~~ the elector has not resided in ~~his or her~~ the county,  
1419 ~~hundred~~ hundred, or election district for a sufficient length of time.

1420 Section 120. Amend § 2B, Article V of the Delaware Constitution by making deletions as shown by strike through  
1421 and insertions as shown by underline as follows:

1422 § 2B. Residence requirements of persons from other states; election of President and Vice-President of United  
1423 States; qualifications.

1424 ~~Section 2B.~~ The General Assembly shall extend to a citizen of the United States who has resided in this State for at  
1425 least 3 months next preceding an ~~election~~ election, but who does not meet the residence requirements established in ~~Article~~  
1426 ~~V, Section 2 of this Constitution,~~ Section 2 of this Article, the right to vote for the choice of electors for President and Vice-  
1427 President of the United States, but for no other offices, provided such citizen was either a qualified voter in another state  
1428 immediately ~~prior to his or her~~ before the citizen's removal to this State, or would have been eligible to vote in such other  
1429 state had ~~he or she~~ the citizen remained there until such election, and provided that ~~he or she~~ the citizen is not entitled to  
1430 vote for the choice of electors for President or Vice-President of the United States in any other state and provided further  
1431 that such citizen would be an otherwise qualified voter under this Constitution except that ~~he or she~~ the citizen had not  
1432 resided in this State for ~~one~~ 1 year.

1433 Section 121. Amend § 3, Article V of the Delaware Constitution by making deletions as shown by strike through  
1434 and insertions as shown by underline as follows:

1435 § 3. Influencing voter; loss of vote; challenge; oath and affirmation; perjury.

1436 (a) ~~Section 3.~~ No person who shall receive or accept, or offer to receive or accept, or shall pay, transfer, or deliver,  
1437 or offer or promise to pay, ~~transfer~~ transfer, or deliver, or shall contribute, or offer or promise to contribute to another, to be  
1438 paid or used, any money or other valuable thing as a compensation, ~~inducement~~ inducement, or reward for the registering or  
1439 abstaining from registering of ~~any one~~ anyone qualified to register, or for the giving or withholding, or in any manner  
1440 influencing the giving or withholding, a vote at any ~~general or special~~ general, special, or municipal election in this State,  
1441 shall vote at such election; and upon challenge for any of ~~said~~ the causes the person so challenged before the officers  
1442 authorized for that purpose shall receive ~~his or her~~ the person's vote, shall swear or affirm before such officers that ~~he or~~  
1443 ~~she~~ the person has not received or accepted, or offered to receive or accept, or paid, ~~transferred~~ transferred, or delivered, or  
1444 offered or promised to pay, ~~transfer~~ transfer, or deliver, or contributed, or offered or promised to contribute to another, to be  
1445 paid or used, any money or other valuable thing as a compensation, ~~inducement~~ inducement, or reward for the registering or  
1446 abstaining from registering of ~~any one~~ anyone qualified to register, or for the giving or withholding, or in any manner  
1447 influencing the giving or withholding, a vote at such election.

1448           (b) ~~Such~~ The oath or affirmation under subsection (a) of this Section shall be conclusive evidence to the election  
1449 officers of the truth of such oath or affirmation; but if any such oath or affirmation shall be false, the person making the  
1450 same shall be guilty of perjury, and no conviction thereof shall bar any prosecution under Section 8 of this Article.

1451           Section 122. Amend § 4, Article V of the Delaware Constitution by making deletions as shown by strike through  
1452 and insertions as shown by underline as follows:

1453           § 4. Registration of voters; days for registration; application to strike name from list; appeals; registration as  
1454 prerequisite for voting.

1455           (a) ~~Section 4.~~ The General Assembly shall enact uniform laws for the registration of voters in this State entitled to  
1456 vote under this Article, which registration shall be conclusive evidence to the election officers of the right of every person  
1457 so registered to vote at any ~~General Election~~ general election while ~~his or her~~ the person's name shall remain on the list of  
1458 registered voters, and who is not at the time disqualified under the provisions of Section 3 of this Article; and no person  
1459 shall vote at such ~~General Election~~ general election whose name does not at that time appear in ~~said~~ the list of registered  
1460 voters.

1461           (b) There shall be at least ~~two~~ 2 registration days in a period commencing not more than ~~one hundred and twenty~~  
1462 120 days, nor less than ~~sixty~~ 60 days before, and ending not more than ~~twenty~~ 20 days, nor less than ~~ten~~ 10 days before,  
1463 each ~~General Election,~~ general election, on which registration days persons whose names are not on the list of registered  
1464 voters established by law for ~~such~~ the general election, may apply for registration, and on which registration days  
1465 applications may be made to strike from the ~~said~~ registration list names of persons on ~~said~~ the list who are not eligible to  
1466 vote at ~~such~~ the general election; provided, however, that ~~such~~ the registration may be corrected as hereinafter provided at  
1467 any time ~~prior to~~ before the day of holding the election.

1468           (c) From the decision of the registration officers granting or refusing registration, or striking or refusing to strike a  
1469 name or names from the registration list, any person interested, or any registration officer, may appeal to the resident  
1470 ~~Associate~~ Judge of the County, or in case of ~~his or her~~ disability or absence from the County, to any Judge entitled to sit in  
1471 the ~~Supreme~~ Superior Court, whose determination shall be final; and ~~he or she~~ the Judge shall have power to order any  
1472 name improperly omitted from the ~~said~~ registry to be placed thereon, and any name improperly appearing on the ~~said~~ the  
1473 registry to be stricken therefrom, and any name appearing on the ~~said~~ registry, in any manner incorrect, to be corrected, and  
1474 to make and enforce all necessary orders in the premises for the correction of the ~~said~~ registry. Registration shall be a  
1475 prerequisite for voting only at general elections, at which Representatives to the General Assembly shall be chosen, unless  
1476 the General Assembly shall otherwise provide by law.

1477           (d) The existing laws in reference to the registration of voters, so far as consistent with the provisions of this  
1478 Article, shall continue in force until the General Assembly shall otherwise provide.

1479           Section 123. Amend § 4A, Article V of the Delaware Constitution by making deletions as shown by strike through  
1480 and insertions as shown by underline as follows:

1481           § 4A. General laws for absentee voting.

1482           ~~Section 4A.~~The General Assembly shall enact general laws providing that any qualified elector of this State, duly  
1483 registered, who shall be unable to appear to cast ~~his or her~~ a ballot at any general election at the regular polling place of the  
1484 election district in which ~~he or she~~ the qualified elector is registered, ~~either~~ because of being in the public service of the  
1485 United States or of this State, ~~or his or her~~ because of being a spouse or dependents dependent when residing with or  
1486 accompanying ~~him or her~~, the qualified elector who is in the public service of the United States or of this State, because of  
1487 the nature of ~~his or her~~ the qualified elector's business or occupation, because of ~~his or her~~ the qualified elector's sickness  
1488 or physical disability, because of ~~his or her~~ the qualified elector's absence from the district while on vacation, or because of  
1489 ~~the tenets or teachings of his or her religion~~, the qualified elector's religious tenets or teachings, may cast a ballot at such  
1490 general election to be counted in such election district.

1491           Section 124. Amend § 4B, Article V of the Delaware Constitution by making deletions as shown by strike through  
1492 and insertions as shown by underline as follows:

1493           § 4B. Uniform laws for absentee registration.

1494           ~~Section 4B.~~The General Assembly shall enact uniform laws for the registration of voters of this State entitled to  
1495 vote under this Article who are temporarily absent therefrom and in the Armed Forces or Merchant Marine of the United  
1496 States, or retainers or ~~his or her~~ spouse or dependents when residing with or accompanying ~~him or her~~, a person who is  
1497 serving in any such capacity, or who are absent from ~~the~~ this State because of illness or injury received while serving in any  
1498 such capacity, upon application in person or in writing.

1499           Section 125. Amend § 5, Article V of the Delaware Constitution by making deletions as shown by strike through  
1500 and insertions as shown by underline as follows:

1501           § 5. Electors privileged from arrest; exceptions.

1502           ~~Section 5.~~Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest,  
1503 during their attendance at elections, and in going to and returning from them.

1504           Section 126. Amend § 6, Article V of the Delaware Constitution by making deletions as shown by strike through  
1505 and insertions as shown by underline as follows:

1506 § 6. Voting machine recording tapes, voting machine certificate, and absentee ballots; delivery to Prothonotary;  
1507 duties and composition of court; quorum.

1508 (a) The presiding election officer of each election district, following the close of the polls on the day of the general  
1509 election, shall deliver all of the following to the Department of Elections:

1510 (1) The copy of each voting machine recording tape containing the signatures of the election officers present  
1511 at the opening and closing of the polls from each voting machine assigned to the presiding election officer's district.

1512 (2) One copy of the voting machine certificate, made and certified by law.

1513 (3) Any other document or item required by law to be provided to the Department of Elections.

1514 (b) The Department of Elections shall deliver all of the following to the Prothonotary of the Superior Court:

1515 (1) The documents or items provided to the Department of Elections under subsection (a) of this ~~section~~  
1516 Section.

1517 (2) The absentee ballots.

1518 (3) Any other document or item required by law to be provided to the Prothonotary of the Superior Court.

1519 (c) At 10 o'clock a.m. on the second day after the election the Prothonotary of the Superior Court shall present the  
1520 documents or items provided under subsection (b) of this ~~section~~ Section to the Superior Court for the appropriate county,  
1521 and the Court shall, at the same time, convene for the performance of the duties imposed on the Court under this ~~section~~  
1522 Section. After convening, the Court, with the aid of the officers and sworn assistants as the Court shall appoint, shall  
1523 publicly ascertain the state of the election throughout the county, by determining the aggregate number of votes in each  
1524 office given in the election districts of the county and for every person who received votes for each office.

1525 (d) If a document or item required under subsection (a) or (b) of this ~~section~~ Section is not produced, or if there is  
1526 a complaint, under oath, of fraud or mistake in a document or item, or if fraud or mistake is evident on the face of a  
1527 document completed by the election officers, the Court may do any of the following:

1528 (1) Issue summary process against an election officer, or any other person, to bring the election officer, or  
1529 person, forthwith into Court with the election papers in their possession or control.

1530 (2) Open the absentee ballot boxes and take there from any paper contained in the absentee ballot boxes.

1531 (3) Recount the absentee ballots.

1532 (4) Correct any fraud or mistake on the voting machine recording tapes or on any document completed by the  
1533 election officers relating to the election.

1534 (e) The Court has all the other jurisdiction and powers now vested by law in the boards of canvass, and such other  
1535 powers as provided by law.

1536 (f) After the state of the election is ascertained under this ~~section~~, Section, ~~the~~ the Court shall make certificates of  
1537 the election, under the seal of the Court in the form required by law, and transmit, deliver, and lodge the certificates of the  
1538 election as required by this Constitution or by law, and deliver the ballot boxes to the sheriff of the county, to be kept and  
1539 delivered by the sheriff as required by law.

1540 (g) No act or determination of the Court in the discharge of the duties imposed on the Court by this ~~section~~ Section  
1541 shall be conclusive in the trial of any contested election.

1542 (h) For the purposes of this ~~section~~ Section, the Superior Court shall consist in New Castle County of the President  
1543 Judge and resident Judge; in Kent County of the resident Judge and a Judge designated by the President Judge; and in  
1544 Sussex County of the resident Judge and a Judge designated by the President Judge.

1545 (i) Two Judges constitute a quorum. The Governor may commission a Judge for the purpose of constituting a  
1546 quorum when by reason of legal exception to any Judge, or for any other cause, a quorum could not otherwise be had.

1547 Section 127. Amend § 7, Article V of the Delaware Constitution by making deletions as shown by strike through  
1548 and insertions as shown by underline as follows:

1549 § 7. Election offenses; penalties; self-incrimination.

1550 ~~Section 7.~~ Every person who either in or out of ~~the~~ this State shall receive or accept, or offer to receive or accept,  
1551 or shall pay, ~~transfer~~ transfer, or deliver, or offer or promise to pay, ~~transfer~~ transfer, or deliver, or shall contribute, or offer  
1552 or promise to contribute, to another to be paid or used, any money or other valuable thing as a compensation, inducement or  
1553 reward for the giving or withholding, or in any manner influencing the giving or withholding, a vote at any general, special,  
1554 or municipal election in this State, or at any primary election, ~~convention~~ convention, or meeting held for the purpose of  
1555 nominating any candidate or candidates to be voted for at such general, ~~special~~ special, or municipal election; or who either  
1556 in or out of ~~the~~ this State shall make or become directly or indirectly a party to any bet or wager depending upon the result  
1557 of any such general, special, ~~municipal~~ municipal, or primary election or convention or meeting, or upon a vote thereat by  
1558 any person; or who either in or out of ~~the~~ this State shall, by the use or promise of money or other valuable thing, or  
1559 otherwise, cause or attempt to cause any officer of election or registration officer to violate ~~said~~ that person's official duty;  
1560 or who either in or out of ~~the~~ this State shall by the use or promise of money or other valuable thing influence or attempt to  
1561 influence any person to be registered or abstain from being registered; or who, being an officer of election or registration  
1562 officer, shall knowingly and wilfully violate ~~said~~ that person's official duty; or who shall by force, threat, ~~menace~~ menace,  
1563 or intimidation, prevent or hinder, or attempt to prevent or hinder, any person qualified for registration from being  
1564 registered or any person qualified to vote from voting according to ~~said~~ the person's choice at any such general, ~~special~~  
1565 special, or municipal election, shall be deemed guilty of a misdemeanor, and shall be fined not less than ~~one hundred~~

1566 dollars \$100 nor more than ~~five thousand dollars, \$5,000,~~ or shall be imprisoned for a term not less than ~~one~~ 1 month nor  
1567 more than ~~three~~ 3 years, or shall suffer both fine and imprisonment within ~~said~~ those limits, at the discretion of the court;  
1568 and shall further for a term of ~~ten~~ 10 years next following ~~said~~ the person's sentence, be incapable of voting at any such  
1569 general, special, ~~municipal~~ municipal, or primary election or convention or meeting; but the penalty of disfranchisement  
1570 shall not apply to any person making or being a party to any bet or wager, depending upon the result of any such general,  
1571 special, ~~municipal~~ municipal, or primary election or convention or meeting. Every person charged with the commission  
1572 while out of ~~the~~ this State of any of the offenses enumerated in this ~~section~~, Section, and by this ~~section~~ Section made  
1573 punishable, whether committed in or out of ~~the~~ this State, may be prosecuted under Section 8 of this Article in any county  
1574 in which ~~said~~ the person shall be arrested on such charge. No person, other than the accused, shall, in the prosecution for  
1575 any offense mentioned in this ~~section~~, Section, be permitted to withhold ~~said~~ that person's own testimony on the ground that  
1576 it may criminate ~~said~~ the person or subject ~~said~~ the person to public infamy; but such testimony shall not afterwards be used  
1577 against ~~said~~ the person in any judicial proceeding, except for perjury in giving such testimony.

1578 Section 128. Amend § 8, Article V of the Delaware Constitution by making deletions as shown by strike through  
1579 and insertions as shown by underline as follows:

1580 § 8. Prosecution for election offenses; procedure; appeal; bond.

1581 ~~Section 8.~~ Every prosecution for any of the offenses mentioned in Section 7 of this Article shall be on information  
1582 filed by the ~~Attorney General~~, Attorney General after examination and commitment or holding to bail by a judge or Justice  
1583 of the Peace, and the cause shall be heard, ~~tried~~ tried, and determined by the court without the intervention of either a grand  
1584 jury or petit jury. The ~~accused~~ accused, if adjudged guilty of the offense ~~charged against him or her~~, charged, shall have the  
1585 right at any time within the space of ~~three~~ 3 calendar months next after sentence is pronounced to an appeal to the Supreme  
1586 Court. The court below, or any judge thereof, in term time or vacation, shall upon application by the accused allow such  
1587 appeal; but such appeal shall not operate as a supersedeas unless the appellant shall at the time of the allowance thereof give  
1588 an appeal bond to the State of Delaware in such amount and with such surety as shall be approved by such court or judge.  
1589 On such appeal the Supreme Court shall, with all convenient speed, review the evidence adduced in the cause in the court  
1590 below, as well as the other proceedings therein, and the law applicable thereto, and give final judgment accordingly, either  
1591 affirming or reversing the judgment below. If the appellant shall fail to prosecute ~~his or her~~ the appeal ~~pursuant to~~ under the  
1592 rules and practice hereinafter provided for, the Supreme Court shall affirm the judgment of the court below. Where the  
1593 sentence in the court below includes a term of imprisonment and an appeal bond is given and approved in manner aforesaid,  
1594 the Supreme Court, if it affirm the judgment below, shall sentence the appellant to a term of imprisonment equal to that  
1595 imposed by the court below, after deducting therefrom a period equal to the time of imprisonment, if any, already suffered

1596 by ~~him or her~~ under the sentence of the court below. The surety or sureties in any appeal bond given under the provisions of  
1597 this ~~section~~ Section shall have the right at any time after its approval and until final judgment shall be rendered by the  
1598 Supreme Court, and, in case the judgment of the court below shall be affirmed, until the expiration of the space of ~~thirty~~ 30  
1599 days next following such affirmance, to take, wherever found, and render the appellant to the sheriff of the county in which  
1600 ~~he or she~~ the appellant was sentenced; and a certified copy of the appeal bond shall be the sufficient warrant for such surety  
1601 or sureties for such taking and rendering. If the Supreme Court shall reverse any judgment of the court below imposing a  
1602 fine, and if the accused shall have fully paid such fine and the costs of prosecution, the amount thereof shall be refunded to  
1603 the appellant through a warrant drawn by the court below on the treasurer of the county in which the accused was  
1604 sentenced. All the judges entitled to sit in the Supreme Court shall, as soon as conveniently may be, meet at the usual place  
1605 of sitting of ~~said~~ the court, and they, or a majority of them, shall adopt rules prescribing the forms and conditions of appeal  
1606 bonds to be used under the provisions of this ~~section~~, Section, and the manner of certifying copies thereof, providing for the  
1607 printing or reduction to writing of all oral evidence in the cause in the court below and of the opinion of ~~said~~ the court, for  
1608 the certification of the same when so printed or reduced to writing, and of copies thereof; for the copying and certification  
1609 of all documentary or other written or printed evidence in the cause in the court below and of the record therein; for the  
1610 transmission to the Supreme Court of such certified copies of such record, and of all the evidence adduced in the court  
1611 below and of the opinion of ~~said~~ the court for the transmission to the court below of a certified copy of the final judgment  
1612 of the Supreme Court and of any additional sentence pronounced by ~~said~~ the court, for the discharge of securities in appeal  
1613 bonds, and for the framing, issuance, ~~service~~ service, and enforcement of all process and rules necessary to give full effect  
1614 to the provisions of this ~~section~~; Section; and regulating generally the practice and procedure of the Supreme Court and the  
1615 court below in cases of appeal under this ~~section~~. Section. The ~~said~~ judges, or a majority of them, met as aforesaid, may  
1616 also provide that when complaint shall be made in due form, prescribed by them, to any judge entitled to sit in the Supreme  
1617 Court, that any offense mentioned in Section 7 of this Article has been committed in the county in which such judge shall  
1618 reside, or out of ~~the~~ this State, such judge shall have power to cause the person charged with such offense to be arrested  
1619 within any county of this State and brought before ~~him or her~~, such judge, and to bind ~~him or her~~ the person with sufficient  
1620 surety, or, for want of bail, commit ~~him or her~~ the person for ~~his or her~~ appearance and answer at the next term of the Court  
1621 of General Sessions in such manner and under and ~~pursuant to~~ such rules and regulations as the ~~said~~ judges, or a majority of  
1622 them, shall prescribe. From time to time hereafter, whenever a majority of all the judges entitled to sit in the Supreme Court  
1623 shall so request, all of the judges so entitled shall, as soon as conveniently may be, meet at the usual place of sitting of ~~said~~  
1624 the court; and they, or a majority of them, shall have power to revise, amend, add ~~to~~ to, or annul, any rule or rules  
1625 theretofore adopted touching forms, practice or procedure in cases of appeal under this ~~section~~; Section, or arrest and

1626 binding or commitment for appearance and answer, in such manner and to such extent as in their judgment shall best serve  
1627 to effectuate the purposes hereof. No person shall be adjudged guilty of an offense mentioned in Section 7 of this Article  
1628 without the concurrence of all the judges trying the case; and upon appeal no judgment of the court below shall be affirmed  
1629 without the concurrence of all of the judges of the Supreme Court sitting in the case, and their failure to concur as aforesaid  
1630 shall operate as a reversal of the judgment of the court below; provided, however, that such concurrence of the judges  
1631 sitting in the Supreme Court shall not be necessary for the affirmance of the judgment of the court below where the  
1632 appellant shall fail to prosecute ~~his or her~~ the appeal pursuant to under the rules and practices herein provided for.

1633 Section 129. Amend § 9, Article V of the Delaware Constitution by making deletions as shown by strike through  
1634 and insertions as shown by underline as follows:

1635 § 9. Enumeration of election offenses as limitation on power of General Assembly.

1636 ~~Section 9.~~ The enumeration of the offenses mentioned in Section 7 of this Article shall not preclude the General  
1637 Assembly from defining and providing for the punishment of other offenses against the freedom and purity of the ballot, or  
1638 touching the conduct, ~~returns~~ returns, or ascertainment of the result of general, ~~special~~ special, or municipal elections, or of  
1639 primary elections, ~~conventions~~ conventions, or meetings held for the nomination of candidates to be voted for at general,  
1640 ~~special~~ special, or municipal elections. No prosecution under any ~~act~~ Act of the General Assembly passed ~~pursuant to~~ under  
1641 this ~~section~~ Section shall be subject to the provisions of Section 8 of this Article.

1642 Section 130. Amend § 1, Article VI of the Delaware Constitution by making deletions as shown by strike through  
1643 and insertions as shown by underline as follows:

1644 § 1. Impeachment power of House; trial by Senate; oath of Senators; vote; presiding officers.

1645 (a) ~~Section 1.~~ The House of Representatives shall have the sole power of impeaching; but two-thirds of all the  
1646 members must concur in an impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose,  
1647 the Senators shall be upon oath or affirmation to do justice according to the evidence. No person shall be convicted without  
1648 the concurrence of two-thirds of all the Senators.

1649 (b) On the trial of an impeachment against the Governor or ~~Lieutenant Governor~~, Lieutenant Governor, the Chief  
1650 Justice, or, in case of ~~his or her~~ absence or disability, the Chancellor shall preside; and on the trial of all other  
1651 impeachments the President of the Senate shall preside.

1652 Section 131. Amend § 2, Article VI of the Delaware Constitution by making deletions as shown by strike through  
1653 and insertions as shown by underline as follows:

1654 § 2. Grounds for impeachment.



1655           ~~Section 2.~~The Governor and all other civil officers under this State shall be liable to impeachment for treason,  
1656 bribery, or any high crime or misdemeanor in office. Judgment in such cases shall not extend further than to removal from  
1657 office, and disqualification to hold any office of honor, ~~trust~~ trust, or profit, under this State; but the party convicted shall,  
1658 nevertheless, be subject to indictment, trial, ~~judgment~~ judgment, and punishment according to law.

1659           Section 132. Amend § 3, Article VI of the Delaware Constitution by making deletions as shown by strike through  
1660 and insertions as shown by underline as follows:

1661           § 3. Treason.

1662           ~~Section 3.~~Treason against this State shall consist only in levying war against it, or in adhering to the enemies of  
1663 the Government, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of ~~two~~ 2  
1664 witnesses to the same overt act or on confession in open court.

1665           Section 133. Amend § 1, Article VII of the Delaware Constitution by making deletions as shown by strike through  
1666 and insertions as shown by underline as follows:

1667           § 1. Power of Governor; recommendation of Board of Pardons; entry in register and submission to General  
1668 Assembly.

1669           (a) ~~Section 1.~~The Governor shall have power to remit fines and forfeitures and to grant reprieves, commutations  
1670 of ~~sentence~~ sentence, and pardons, except in cases of impeachment; but no pardon, or reprieve for more than ~~six~~ 6 months,  
1671 shall be granted, nor sentence commuted, except upon the recommendation in writing of a majority of the Board of Pardons  
1672 after full hearing; and such recommendation, with the reasons therefor at length, shall be filed and recorded in the office of  
1673 the Secretary of State, who shall forthwith notify the Governor thereof.

1674           (b) ~~He or she~~ The Governor shall fully set forth in writing the grounds of all reprieves, ~~pardons~~ pardons, and  
1675 remissions, to be entered in the register of ~~his or her~~ the Governor's official acts and laid before the General Assembly at ~~its~~  
1676 the General Assembly's next session.

1677           Section 134. Amend § 2, Article VII of the Delaware Constitution by making deletions as shown by strike through  
1678 and insertions as shown by underline as follows:

1679           § 2. Composition of Board of Pardons.

1680           ~~Section 2.~~The Board of Pardons shall be composed of the Chancellor, ~~Lieutenant Governor,~~ Lieutenant Governor,  
1681 Secretary of State, State ~~Treasurer~~ Treasurer, and Auditor of Accounts.

1682           Section 135. Amend § 3, Article VII of the Delaware Constitution by making deletions as shown by strike through  
1683 and insertions as shown by underline as follows:

1684           § 3. Information from Attorney General on Board's duties.

1685           ~~Section 3.~~ The ~~said board~~ Board of Pardons may require information from the ~~Attorney General~~ Attorney General  
1686 upon any subject relating to the duties of ~~said board.~~ the Board.

1687           Section 136. Amend § 1, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1688 through and insertions as shown by underline as follows:

1689           § 1. Uniformity of taxes; collection under general laws; exemption for public welfare purposes.

1690           ~~(a) Section 1.~~ All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority  
1691 levying the tax, except as otherwise permitted herein, and shall be levied and collected under general laws passed by the  
1692 General Assembly. County Councils of New Castle and Sussex Counties and the Levy Court of Kent County are hereby  
1693 authorized to exempt from county taxation such property in their respective counties as in their opinion will best promote  
1694 the public welfare. The county property tax exemption power created by this ~~section~~ Section shall be exclusive as to such  
1695 property as is located within the respective counties. With respect to real property located within the boundaries of any  
1696 incorporated municipality, the authority to exempt such property from municipal property tax shall be exercised by the  
1697 respective incorporated municipality, when in the opinion of ~~said~~ the municipality it will best promote the public welfare.

1698           ~~(b) The legislature~~ General Assembly shall enact laws to provide that the value of land which is determined by the  
1699 assessing officer of the taxing jurisdiction to be actively devoted to agriculture use and to have been so devoted for at least  
1700 the ~~two~~ 2 successive years immediately preceding the tax year in issue, shall, for local tax purposes, on application of the  
1701 owner, be that value which such land has for agricultural use.

1702           ~~(c) Any such laws~~ A law enacted under subsection (b) of this Section shall provide that when land which has been  
1703 valued in this manner for local tax purposes is applied to a use other than for agriculture, it shall be subject to additional  
1704 taxes in an amount equal to the difference, if any, between the taxes paid or payable on the basis of the valuation and the  
1705 assessment authorized hereunder and the taxes that would have been paid or payable had the land been valued and assessed  
1706 as otherwise provided in this Constitution, in the current year and in such of the tax years immediately preceding, not less  
1707 than ~~two~~ 2 such years in which the land was valued as herein authorized.

1708           ~~(d) Such laws~~ A law enacted under subsection (b) of this Section shall also provide for the assessment and  
1709 collection of any additional taxes levied thereupon and shall include such other provisions as shall be necessary to carry out  
1710 ~~the provisions of this amendment.~~ this Section.

1711           Section 137. Amend § 2, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1712 through and insertions as shown by underline as follows:

1713           § 2. Revenue bills to originate in House; amendments by Senate; restriction on definition; exclusion of unrelated  
1714 matter.

1715           ~~Section 2.~~All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose  
1716 alterations as on other bills; and no bill from the operation of which, when passed into a law, revenue may incidentally arise  
1717 shall be accounted a bill for raising revenue; nor shall any matter or cause whatever not immediately relating to and  
1718 necessary for raising revenue be in any manner blended with or annexed to a bill for raising revenue.

1719           Section 138. Amend § 3, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1720 through and insertions as shown by underline as follows:

1721           § 3. Borrowing money; specification of purpose; surplus borrowed money.

1722           ~~Section 3.~~No money shall be borrowed or debt created by or on behalf of ~~the~~ this State but ~~pursuant to~~ by an Act  
1723 of the General Assembly, passed with the concurrence of three-fourths of all the members elected to each House, except to  
1724 supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend ~~the~~ this State in war, or pay existing  
1725 debts; and any law authorizing the borrowing of money by or on behalf of ~~the~~ this State shall specify the purpose for which  
1726 the money is to be borrowed, and the money so borrowed shall be used exclusively for such purpose; but should the money  
1727 so borrowed or any part thereof be left after the abandonment of such purpose or the accomplishment thereof, such money,  
1728 or the surplus thereof, may be disposed of according to law.

1729           Section 139. Amend § 4, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1730 through and insertions as shown by underline as follows:

1731           § 4. Restrictions on loan of public money or bonds and credit of State.

1732           ~~Section 4.~~No appropriation of the public money shall be made to, nor the bonds of this State be issued or loaned  
1733 to any county, municipality, or corporation, nor shall the credit of ~~the~~ this State, by the guarantee or the endorsement of the  
1734 bonds or other undertakings of any county, municipality, or corporation, be pledged otherwise than ~~pursuant to~~ by an Act of  
1735 the General Assembly, passed with the concurrence of three-fourths of all the members elected to each House.

1736           Section 140. Amend § 5, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1737 through and insertions as shown by underline as follows:

1738           § 5. Capitation tax; uniformity; use.

1739           ~~Section 5.~~The General Assembly shall provide for levying and collecting a capitation tax from every citizen of the  
1740 State of the age of ~~twenty-one~~ 21 years or upwards; but such tax to be collected in any County shall be uniform throughout  
1741 that County, and such capitation tax shall be used exclusively in the County in which it is collected.

1742           Section 141. Amend § 6, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1743 through and insertions as shown by underline as follows:

1744 § 6. Procedure in withdrawal and payment of public moneys; annual publication of receipts and expenditures;  
1745 limitation upon appropriations.

1746 ~~Section 6.~~ (a) No money shall be drawn from the treasury but ~~pursuant to~~ by an appropriation made by Act of the  
1747 General Assembly; provided, however, that the compensation of the members of the General Assembly and all expenses  
1748 connected with the session thereof may be paid out of the treasury ~~pursuant to~~ by resolution in that behalf; a regular account  
1749 of the receipts and expenditures of all public money shall be published annually.

1750 (b) No appropriation, supplemental ~~appropriation~~ appropriation, or budget ~~act~~ Act shall cause the aggregate State  
1751 General Fund appropriations enacted for any given fiscal year to exceed ~~98 percent~~ 98% of the estimated State General  
1752 Fund revenue for such fiscal year from all sources, including estimated unencumbered funds remaining at the end of the  
1753 previous fiscal year. An ~~act~~ Act approved ~~pursuant to § 3 of this article~~ under Section 3 of this Article shall not be  
1754 considered an appropriation for the purpose of this ~~section.~~ Section. Estimated unencumbered funds are calculated by  
1755 taking the estimated General Fund cash balance at the end of the fiscal year less estimated revenue anticipation bonds or  
1756 notes, estimated encumbrances, estimated continuing ~~appropriations~~ appropriations, and the amount of the Budget Reserve  
1757 Account as established in subsection (d) of this ~~section~~ Section at the end of ~~said~~ the fiscal year. The amount of ~~said~~ the  
1758 revenue estimate and estimated unencumbered funds remaining shall be determined by the most recent joint resolution  
1759 approved from time to time by a majority of the members elected to each House of the General Assembly and signed by the  
1760 Governor.

1761 (c) Notwithstanding subsection (b) of this ~~section.~~ Section, any portion of the amount between ~~98 and 100 percent~~  
1762 98% and 100% of the estimated State General Fund revenue for any fiscal year as estimated in accordance with subsection  
1763 (b) of this ~~section~~ Section may be appropriated in any given fiscal year in the event of emergencies involving the health,  
1764 ~~safety~~ safety, or welfare of the citizens of ~~the~~ this State, such appropriations to be approved by three-fifths of the members  
1765 elected to each House of the General Assembly.

1766 (d) There is hereby established a Budget Reserve Account within the General Fund. Within 45 days after the end  
1767 of any fiscal year, the excess of any unencumbered funds remaining from the ~~said~~ fiscal year shall be paid into the Budget  
1768 Reserve Account, provided, however, that no such payment will be made which would increase the total of the Budget  
1769 Reserve Account to more than ~~5 percent~~ 5% of only the estimated State General Fund revenues as set by subsection (b) of  
1770 this ~~section.~~ Section. The excess of any unencumbered funds shall be determined by subtracting from the actual  
1771 unencumbered funds at the end of any fiscal year an amount which together with the latest estimated revenues is necessary  
1772 to fund the ensuing fiscal year's General Fund budget including the required estimated General Fund supplemental and  
1773 automatic appropriations for ~~said~~ the ensuing fiscal year less estimated reversions. The ~~General Assembly~~ Assembly, by a

1774 three-fifths vote of the members elected to each House, may appropriate from the Budget Reserve Account such additional  
1775 sums as may be necessary to fund any unanticipated deficit in any given fiscal year or to provide funds required as a result  
1776 of any revenue reduction enacted by the General Assembly.

1777 Section 142. Amend § 7, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1778 through and insertions as shown by underline as follows:

1779 § 7. Real estate assessments; inclusion of values.

1780 ~~Section 7.~~ In all assessments of the value of real estate for taxation, the value of the land and the value of the  
1781 buildings and improvements thereon shall be included. And in all assessments of the rental value of real estate for taxation,  
1782 the rental value of the land and the rental value of the buildings and the improvements thereon shall be included. The  
1783 foregoing provisions of this ~~section~~ Section shall apply to all assessments of the value of real estate or of the rental value  
1784 thereof for taxation for State, county, hundred, school, ~~municipal~~ municipal, or other public purposes.

1785 Section 143. Amend § 8, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1786 through and insertions as shown by underline as follows:

1787 § 8. Lending credit, appropriating money ~~to to, or becoming interested~~ investing in any private corporation, ~~person~~  
1788 person, or company by county or municipality.

1789 ~~Section 8.~~ No county, city, ~~town~~ town, or other municipality shall lend its credit or appropriate money to, or  
1790 assume the debt of, or become a shareholder or joint owner in or with any private corporation or any person or company  
1791 whatever.

1792 Section 144. Amend § 9, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1793 through and insertions as shown by underline as follows:

1794 § 9. Retroactive increase of taxation of personal income.

1795 Any law which shall have the effect of increasing the rates of taxation on personal income for any year or part  
1796 thereof ~~prior to~~ before the date of the enactment thereof, or for any year or years ~~prior to~~ before the year in which the law is  
1797 enacted, shall be void.

1798 Section 145. Amend § 10, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1799 through and insertions as shown by underline as follows:

1800 § 10. Limitation on increase of rate of taxes and license fees; exception to meet obligation under faith and credit  
1801 pledge; allocation of public moneys to meet such obligation if revenues are not sufficient to meet such pledge.

1802           Section 10. (a) The effective rate of any tax levied or license fee imposed by ~~the~~ this State may not be increased  
1803 except ~~pursuant to~~ by an Act an act of the General Assembly adopted with the concurrence of three-fifths of all members of  
1804 each House.

1805           (b) ~~Prior to~~ Before the beginning of each fiscal year of ~~the~~ this State, the General Assembly shall appropriate  
1806 revenues of ~~the~~ this State to pay interest on its debt to which it has pledged its faith and credit and which interest is payable  
1807 in the year for which such appropriation is made and to pay the principal of such debt, payable in such year, whether at  
1808 maturity or otherwise. To the extent that insufficient revenues of ~~the~~ this State are available to pay principal of and interest  
1809 on such debt when due and payable, the first public moneys of ~~the~~ this State thereafter received shall be set aside and  
1810 applied to the payment of the principal of and interest on such debt. To make up for such insufficient revenues, the General  
1811 Assembly may increase the rate of taxes and fees without regard to the limitations of subsection (a) ~~hereof~~ of this Section  
1812 after the failure to pay when due the principal of and interest on such debt.

1813           Section 146. Amend § 11, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1814 through and insertions as shown by underline as follows:

1815           § 11. Imposition or levy of new taxes or license fees.

1816           Section 11. (a) No tax or license fee may be imposed or levied except ~~pursuant to an act~~ by an Act of the General  
1817 Assembly adopted with the concurrence of three-fifths of all members of each House.

1818           (b) ~~Prior to~~ Before the beginning of each fiscal year of ~~the~~ this State, the General Assembly shall appropriate  
1819 revenues of ~~the~~ this State to pay interest on its debt to which it has pledged its faith and credit and which interest is payable  
1820 in the year for which such appropriation is made and to pay the principal of such debt, payable in such year, whether at  
1821 maturity or otherwise. To the extent that insufficient revenues of ~~the~~ this State are available to pay principal of and interest  
1822 on such debt when due and payable, the first public moneys of ~~the~~ this State thereafter received shall be set aside and  
1823 applied to the payment of the principal of and interest on such debt. To make up for such insufficient revenues, the General  
1824 Assembly may increase the rate of taxes and fees without regard to the limitations of subsection (a) ~~hereof~~ of this Section  
1825 after the failure to pay when due the principal of and interest on such debt.

1826           (c) ~~This amendment shall not apply to any tax or license fee authorized by an act of the General Assembly but not~~  
1827 ~~effective upon the effective date of this amendment.~~

1828           Section 147. Amend § 12, Article VIII of the Delaware Constitution by making deletions as shown by strike  
1829 through and insertions as shown by underline as follows:

1830           § 12. The Transportation Trust Fund; use and restrictions.

1831 (a) ~~The~~This State irrevocably pledges and assigns and continuously appropriates the proceeds derived from a  
1832 motor vehicle registration fee, a motor vehicle document fee, a motor fuel tax, a motor carrier road use ~~tax~~ tax, and  
1833 registration fee, and the operation of the Delaware Turnpike to a special fund known as the Transportation Trust Fund.

1834 (b) The moneys in the Transportation Trust Fund may be appropriated and used for the following purposes:

1835 (1) Capital expenditures on the public transportation system, including the road system, ~~grants~~ grants, and  
1836 allocations for investments in transportation, the transit system, and the support systems for public transportation.

1837 (2) Payment of the interest and principal on all indebtedness incurred before or after ~~the effective date of this~~  
1838 ~~Act, May 18, 2017,~~ including the payment of all other obligations incurred ~~pursuant to~~ under any trust agreement  
1839 related to such indebtedness, and secured by moneys in the Transportation Trust Fund.

1840 (3) Other transportation-related purposes, including operating expenses, to which moneys in the  
1841 Transportation Trust Fund are authorized on ~~the effective date of this Act, May 18, 2017.~~

1842 (c) No moneys in the Transportation Trust Fund may be appropriated for a purpose not listed in subsection (b) of  
1843 this ~~section~~ Section except by an ~~act~~ Act of the General Assembly adopted with the concurrence of three-fourths of all  
1844 members of each House and separate from an annual budget ~~act, Act,~~ bond and capital improvement ~~act, Act,~~ or grants-in-  
1845 aid ~~act, Act.~~

1846 (d) If moneys in the Transportation Trust Fund cease to be appropriated for a purpose under paragraph (b)(3) of  
1847 this ~~section, Section,~~ the moneys may not again be appropriated for a purpose under paragraph (b)(3) of this ~~section~~ Section  
1848 except by an ~~act~~ Act of the General Assembly adopted with the concurrence of three-fourths of all members of each House  
1849 and separate from an annual budget ~~act, Act,~~ bond and capital improvement ~~act, Act,~~ or grants-in-aid ~~act, Act.~~

1850 Section 148. Amend § 1, Article IX of the Delaware Constitution by making deletions as shown by strike through  
1851 and insertions as shown by underline as follows:

1852 § 1. Creation, amendment, ~~renewal~~ renewal, or revival by general law; exceptions; revocation or forfeitures of  
1853 charters; requisites for enactment of corporation laws.

1854 ~~Section 1.~~ No corporation shall hereafter be created, amended, ~~renewed~~ renewed, or revived by special act, but  
1855 only by or under general law, nor shall any existing corporate charter be amended, ~~renewed~~ renewed, or revived by special  
1856 act, but only by or under general law; but the foregoing provisions shall not apply to municipal corporations, ~~banks~~ banks,  
1857 or corporations for charitable, penal, reformatory, or educational purposes, sustained in whole or in part by ~~the~~ this State.  
1858 The General Assembly shall, by general law, provide for the revocation or forfeiture of the charters of all corporations for  
1859 the abuse, misuse, or ~~non-use~~ nonuse of their corporate powers, ~~privileges~~ privileges, or franchises. Any proceeding for  
1860 such revocation or forfeiture, shall be taken by the ~~Attorney General,~~ Attorney General, as may be provided by law. No

1861 general incorporation law, nor any special act of incorporation, shall be enacted without the concurrence of two-thirds of all  
1862 the members elected to each House of the General Assembly.

1863 Section 149. Amend § 2, Article IX of the Delaware Constitution by making deletions as shown by strike through  
1864 and insertions as shown by underline as follows:

1865 § 2. Acceptance of Constitution by existing corporations as prerequisite for amendment or renewal of charter.

1866 ~~Section 2.~~ No corporation in existence ~~at the adoption of this Constitution on June 10, 1897,~~ shall have ~~it's the~~  
1867 corporation's charter amended or renewed without first filing, under the corporate seal of ~~said~~ the corporation, and duly  
1868 attested, in the office of the Secretary of State, an acceptance of the provisions of this Constitution.

1869 Section 150. Amend § 3, Article IX of the Delaware Constitution by making deletions as shown by strike through  
1870 and insertions as shown by underline as follows:

1871 § 3. Issuance of stock.

1872 [Repealed 74 Del. Laws, c. 281, June 30, ~~2004~~ 2004.]

1873 Section 151. Amend § 4, Article IX of the Delaware Constitution by making deletions as shown by strike through  
1874 and insertions as shown by underline as follows:

1875 § 4. Rights, privileges, ~~immunities~~ immunities, and estates.

1876 ~~Section 4.~~ The rights, privileges, ~~immunities~~ immunities, and estates of religious societies and corporate bodies,  
1877 except as herein otherwise provided, shall remain as if the Constitution of this State had not been altered.

1878 Section 152. Amend § 5, Article IX of the Delaware Constitution by making deletions as shown by strike through  
1879 and insertions as shown by underline as follows:

1880 § 5. Designation, by foreign corporation, of agent for service of process.

1881 ~~Section 5.~~ No foreign corporation shall do any business in this State through or by branch offices, ~~agents~~ agents, or  
1882 representatives located in this State, without having an authorized agent or agents ~~in the~~ this State upon whom legal process  
1883 may be served.

1884 Section 153. Amend § 6, Article IX of the Delaware Constitution by making deletions as shown by strike through  
1885 and insertions as shown by underline as follows:

1886 § 6. Taxation of stock owned by persons or corporations without ~~the~~ this State.

1887 ~~Section 6.~~ Shares of the capital stock of corporations created under the laws of this State, when owned by persons  
1888 or corporations without this State, shall not be subject to taxation by any law now existing or hereafter to be made.

1889 Section 154. Amend § 1, Article X of the Delaware Constitution by making deletions as shown by strike through  
1890 and insertions as shown by underline as follows:



1891 § 1. Establishment and maintenance of free public schools; attendance.

1892 ~~Section 1.~~ The General Assembly shall provide for the establishment and maintenance of a general and efficient  
1893 system of free public schools, and may require by law that every child, not physically or mentally disabled, shall attend the  
1894 public school, unless educated by other means.

1895 Section 155. Amend § 2, Article X of the Delaware Constitution by making deletions as shown by strike through  
1896 and insertions as shown by underline as follows:

1897 § 2. Annual appropriations; apportionment; use of funds; ~~separation of schools~~; other expenses.

1898 ~~Section 2.~~ In addition to the income of the investments of the Public School Fund, the General Assembly shall  
1899 make provision for the annual payment of not less than ~~one hundred thousand dollars~~ \$100,000 for the benefit of the free  
1900 public schools which, with the income of the investments of the Public School Fund, shall be equitably apportioned among  
1901 the school districts of ~~the~~ this State as the General Assembly shall provide; and the money so apportioned shall be used  
1902 exclusively for the payment of teachers' salaries and for furnishing free text books; provided, however, that in such  
1903 apportionment, no distinction shall be made on account of race or color. All other expenses connected with the maintenance  
1904 of free public schools, and all expenses connected with the erection or repair of free public school buildings shall be  
1905 defrayed in such manner as shall be provided by law.

1906 Section 156. Amend § 3, Article X of the Delaware Constitution by making deletions as shown by strike through  
1907 and insertions as shown by underline as follows:

1908 § 3. Use of educational funds by religious schools; exemption of school property from taxation.

1909 ~~Section 3.~~ No portion of any fund now existing, or which may hereafter be appropriated, or raised by tax, for  
1910 educational purposes, shall be appropriated to, or used by, or in aid of any sectarian, ~~churc~~ church, or denominational  
1911 school; provided, that all real or personal property used for school purposes, where the tuition is free, shall be exempt from  
1912 taxation and assessment for public purposes.

1913 Section 157. Amend § 4, Article X of the Delaware Constitution by making deletions as shown by strike through  
1914 and insertions as shown by underline as follows:

1915 § 4. Use of Public School Fund.

1916 ~~Section 4.~~ No part of the principal or income of the Public School Fund, now or hereafter existing, shall be used  
1917 for any other purpose than the support of free public schools.

1918 Section 158. Amend § 5, Article X of the Delaware Constitution by making deletions as shown by strike through  
1919 and insertions as shown by underline as follows:

1920 § 5. Transportation of nonpublic school students.

1921            ~~Section 5.~~ The General Assembly, notwithstanding any other provision of this Constitution, may provide by an Act  
1922 of the General Assembly, passed with the concurrence of a majority of all the members elected to each House, for the  
1923 transportation of students of nonpublic, nonprofit ~~Elementary and High Schools.~~ elementary and high schools.

1924            Section 159. Amend § 6, Article X of the Delaware Constitution by making deletions as shown by strike through  
1925 and insertions as shown by underline as follows:

1926            § 6. Property tax; use limitations.

1927            ~~Section 6.~~ No property tax receipts received by a public school district as a result of a property tax levied for a  
1928 particular purpose shall be used for any other purpose except upon the favorable vote of a majority of the eligible voters in  
1929 the district voting on the question.

1930            Section 160. Amend § 1, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1931 and insertions as shown by underline as follows:

1932            § 1. State Board of Agriculture.

1933            ~~Section 1.~~ There shall be a department established and maintained, known as the State Board of Agriculture.

1934            Section 161. Amend § 2, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1935 and insertions as shown by underline as follows:

1936            § 2. Composition of Board; residence of Commissioners; quorum.

1937            ~~Section 2.~~ The ~~said board~~ State Board of Agriculture shall be composed of ~~three~~ 3 Commissioners of Agriculture,  
1938 ~~one~~ 1 of whom shall reside in each county in ~~the~~ this State. Any ~~two~~ 2 of them shall constitute a quorum for the transaction  
1939 of business.

1940            Section 162. Amend § 3, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1941 and insertions as shown by underline as follows:

1942            § 3. Appointment of Commissioners by Governor; ~~tenure;~~ terms of office; vacancies.

1943            ~~Section 3.~~ The ~~said~~ Commissioners of Agriculture shall be appointed by the Governor, by and with the consent of  
1944 a majority of all the members elected to the Senate, ~~one~~ 1 for the term of ~~one~~ 1 year, ~~one~~ 1 for the term of ~~two~~ 2 years, and  
1945 ~~one~~ 1 for the term of ~~three~~ 3 years; and thereafter all appointments of Commissioners of Agriculture shall be made as  
1946 aforesaid for the term of ~~three~~ 3 years, and they shall hold office until their successors are duly qualified; provided, that any  
1947 vacancy occurring in the office of Commissioner of Agriculture before the expiration of a term shall be filled by  
1948 appointment as aforesaid for the remainder of the term; and provided further, that in case such vacancy shall occur when the  
1949 Senate is not in session, such vacancy may be filled by the Governor without confirmation by the Senate until the end of the  
1950 next session of the Senate.

1951           Section 163. Amend § 4, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1952 and insertions as shown by underline as follows:

1953           § 4. Abatement and prevention of diseases of fruit trees, plants, vegetables, ~~eereals~~ cereals, and livestock.

1954           ~~Section 4.~~ The ~~said board~~ State Board of Agriculture shall have power to abate and prevent, by such means as the  
1955 General Assembly shall prescribe, all contagious and infectious diseases of fruit trees, plants, vegetables, cereals, horses,  
1956 ~~eattle~~ cattle, and other farm animals.

1957           Section 164. Amend § 5, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1958 and insertions as shown by underline as follows:

1959           § 5. Plans for securing immigration of industrious and useful settlers.

1960           ~~Section 5.~~ The ~~said~~ Commissioners of Agriculture may devise such plans for securing immigration to this State of  
1961 industrious and useful settlers as they may deem expedient, and such plans may be executed as prescribed by the General  
1962 Assembly.

1963           Section 165. Amend § 6, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1964 and insertions as shown by underline as follows:

1965           § 6. Compensation of Board members.

1966           ~~Section 6.~~ The General Assembly shall provide by law for the compensation of the members of ~~said board~~ the  
1967 State Board of Agriculture.

1968           Section 166. Amend § 7, Article XI of the Delaware Constitution by making deletions as shown by strike through  
1969 and insertions as shown by underline as follows:

1970           § 7. Duration of Board.

1971           ~~Section 7.~~ The State Board of Agriculture hereby established shall continue for ~~eight~~ 8 years from the date of the  
1972 qualification of the first member thereof, after which it may be abolished by the General Assembly.

1973           Section 167. Amend § 1, Article XII of the Delaware Constitution by making deletions as shown by strike through  
1974 and insertions as shown by underline as follows:

1975           § 1. State Board of Health; local boards; powers.

1976           ~~Repealed.~~ [Repealed.]

1977           Section 168. Amend § 1, Article XIII of the Delaware Constitution by making deletions as shown by strike  
1978 through and insertions as shown by underline as follows:

1979           § 1. Submission of liquor question to district electors; election.

1980           ~~Section 1.~~ The General Assembly may from time to time provide by law for the submission to the vote of the  
1981 qualified electors of the several districts of ~~the~~ this State, or any of them, mentioned in Section 2 of this Article, the  
1982 question whether the manufacture and sale of intoxicating liquors shall be licensed or prohibited within the limits thereof;  
1983 and in every district in which there is a majority against license, no person, ~~firm~~ firm, or corporation shall thereafter  
1984 manufacture or sell spirituous, ~~vinous~~ vinous, or malt liquors, except for medicinal or sacramental purposes, within ~~said~~ the  
1985 district, until at a subsequent submission of such question a majority of votes shall be cast in ~~said~~ the district for license.  
1986 Whenever a majority of all the members elected to each House of the General Assembly by the qualified electors in any  
1987 district named in Section 2 of this Article shall request the submission of the question of license or no license to a vote of  
1988 the qualified electors in ~~said~~ the district, the General Assembly shall provide for the submission of such question to the  
1989 qualified electors in such district at the next general election thereafter.

1990           Section 169. Amend § 2, Article XIII of the Delaware Constitution by making deletions as shown by strike  
1991 through and insertions as shown by underline as follows:

1992           § 2. Designation of districts for purposes of article.

1993           ~~Section 2.~~ Under the provisions of this Article, Sussex County shall comprise ~~one~~ 1 district, Kent County ~~one~~ 1  
1994 district, the City of Wilmington, as its corporate limits now are or may hereafter be extended, ~~one~~ 1 district, and the  
1995 remaining part of New Castle County ~~one~~ 1 district.

1996           Section 170. Amend § 3, Article XIII of the Delaware Constitution by making deletions as shown by strike  
1997 through and insertions as shown by underline as follows:

1998           § 3. Laws for enforcement, manufacture and sale, and penalties.

1999           ~~Section 3.~~ The General Assembly shall provide necessary laws to carry out and enforce the provisions of this  
2000 Article, enact laws governing the manufacture and sale of intoxicating liquors under the limitation of this Article, and  
2001 provide such penalties as may be necessary to enforce the same.

2002           Section 171. Amend § 1, Article XIV of the Delaware Constitution by making deletions as shown by strike  
2003 through and insertions as shown by underline as follows:

2004           § 1. Form of oath for members of General Assembly and public officers.

2005           (a) Members of the General Assembly and all public ~~officers~~ officers, executive and judicial, except such inferior  
2006 officers as shall be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe  
2007 the following oath or affirmation:

2008           "I, (name), do proudly swear (or affirm) to carry out the responsibilities of the office of (name of office) to the best  
2009 of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I

2010 further swear (or affirm) always to place the public interests above any special or personal interests, and to respect the right  
2011 of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and  
2012 defend the Constitutions of my Country and my State, so help me God."

2013 (b) No other oath, ~~declaration~~ declaration, or test shall be required as a qualification for any office of public trust.

2014 Section 172. Amend § 1, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2015 and insertions as shown by underline as follows:

2016 § 1. Conservators of the peace.

2017 ~~Section 1.~~ The Chancellor, ~~Judges~~ Judges, and ~~Attorney General~~ Attorney General shall be conservators of the  
2018 peace throughout the State; and the Sheriffs shall be conservators of the peace within the counties respectively in which  
2019 they reside.

2020 Section 173. Amend § 2, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2021 and insertions as shown by underline as follows:

2022 § 2. Receipt for fees.

2023 ~~Section 2.~~ No public officer shall receive any fees without giving to the person paying the same a receipt therefor,  
2024 if required, therein specifying every item and charge.

2025 Section 174. Amend § 3, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2026 and insertions as shown by underline as follows:

2027 § 3. Costs on bill returned ignoramus or on acquittal.

2028 ~~Section 3.~~ No costs shall be paid by a person accused, on a bill returned ignoramus, nor on acquittal.

2029 Section 175. Amend § 4, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2030 and insertions as shown by underline as follows:

2031 § 4. Extension of term of public officer; diminution of salary or emoluments.

2032 ~~Section 4.~~ No law shall extend the term of any public officer or diminish the salary or emoluments after ~~his or her~~  
2033 election or appointment. The term "salary or emoluments" as used ~~herein~~ in this Section refers to the actual salary or  
2034 emoluments being provided an officer at any time during ~~his or her~~ tenure in office and shall not be construed to mean  
2035 increases in salary or emoluments scheduled by statute for a future date and not yet received by the officer.

2036 Section 176. Amend § 5, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2037 and insertions as shown by underline as follows:

2038 § 5. Officers to hold office until successors qualify.

2039            ~~Section 5~~. All public officers shall hold their respective offices until their successors shall be duly qualified, except  
2040 in cases herein otherwise provided.

2041            Section 177. Amend § 6, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2042 and insertions as shown by underline as follows:

2043            § 6. Behavior of officers; removal for misbehavior or infamous crime.

2044            ~~Section 6~~. All public officers shall hold their offices on condition that they behave themselves well. The Governor  
2045 shall remove from office any public officer convicted of misbehavior in office or of any infamous crime.

2046            Section 178. Amend § 7, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2047 and insertions as shown by underline as follows:

2048            § 7. Offenses excepted from prohibition against prosecuting by information and jury trial.

2049            ~~Section 7~~. The matters within Section 28 of Article IV and Sections 7 and 8 of Article V are excepted from the  
2050 provision of the Constitution that "No person shall for any indictable offense be proceeded against criminally by  
2051 information," and also from the provisions of the Constitution concerning trial by jury.

2052            Section 179. Amend § 8, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2053 and insertions as shown by underline as follows:

2054            § 8. Interest of member or officer of department in contracts for supplies or services of department prohibited.

2055            ~~Section 8~~. No member or officer of any department of the government shall be in any way interested in any  
2056 contract for the furnishing of stationery, printing, ~~paper paper~~, and fuel used in the legislative and other departments of  
2057 government; or for the printing, ~~binding binding~~, and distributing of the laws, journals, official reports, and all other  
2058 printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly  
2059 and its committees, when such contract is awarded to or by any such member, ~~officer officer~~, or department.

2060            Section 180. Amend § 9, Article XV of the Delaware Constitution by making deletions as shown by strike through  
2061 and insertions as shown by underline as follows:

2062            § 9. Prefixing Constitution to codification of laws.

2063            ~~Section 9~~. This Constitution shall be prefixed to every codification of the ~~Laws laws~~ of this State.

2064            Section 181. Amend § 10, Article XV of the Delaware Constitution by making deletions as shown by strike  
2065 through and insertions as shown by underline as follows:

2066            § 10. Disqualification to hold office by reason of sex.

2067            ~~Section 10~~. No citizen of the State of Delaware shall be disqualified to hold and enjoy any office, or public trust,  
2068 under the laws of this State, by reason of sex.

2069 Section 182. Amend § 1, Article XVI of the Delaware Constitution by making deletions as shown by strike  
2070 through and insertions as shown by underline as follows:

2071 § 1. Proposal and concurrence of Constitutional amendments in General Assembly; procedure.

2072 ~~Section 1.~~ Any amendment or amendments to this Constitution may be proposed in the Senate or House of  
2073 Representatives; and if the same shall be agreed to by two-thirds of all the members elected to each House, such proposed  
2074 amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and such proposed  
2075 amendment or amendments must be disseminated to the public not more than 120 days before the next general election and  
2076 not less than 90 days before the next general election as provided for by an ~~act~~ Act of the General Assembly; and if in the  
2077 General Assembly next after the ~~said~~ election such proposed amendment or amendments shall upon yea and nay vote be  
2078 agreed to by two-thirds of all the members elected to each House, the same shall thereupon become part of the Constitution.

2079 Section 183. Amend § 2, Article XVI of the Delaware Constitution by making deletions as shown by strike  
2080 through and insertions as shown by underline as follows:

2081 § 2. Constitutional Conventions; procedure; compensation of delegates; quorum; powers and duties; vacancies.

2082 ~~Section 2.~~ The General Assembly by a two-thirds vote of all the members elected to each House may from time to  
2083 time provide for the submission to the qualified electors of ~~the~~ this State at the general election next thereafter the question,  
2084 "Shall there be a Convention to revise the Constitution and amend the ~~same~~ same?"; and upon such submission, if a  
2085 majority of those voting on ~~said~~ the question shall decide in favor of a Convention for such purpose, the General Assembly  
2086 at its next session shall provide for the election of delegates to such Convention at the next general election. Such  
2087 Convention shall be composed of ~~forty-one~~ 41 delegates, ~~one~~ 1 of whom shall be chosen from each Representative District  
2088 by the qualified electors thereof, and ~~two~~ 2 of whom shall be chosen from New Castle County, ~~two~~ 2 from Kent County and  
2089 ~~two~~ 2 from Sussex County by the qualified electors thereof respectively. The delegates so chosen shall convene at the  
2090 Capital of ~~the~~ this State on the first Tuesday in September next after their election. Every delegate shall receive for ~~his or~~  
2091 ~~her~~ services such compensation as shall be provided by law. A majority of the Convention shall constitute a quorum for the  
2092 transaction of business. The Convention shall have power to appoint such officers, ~~employers~~ employees, and assistants as  
2093 it may deem necessary, and fix their compensation, and provide for the printing of its documents, journals, ~~debates~~ debates,  
2094 and proceedings. The Convention shall determine the rules of its proceedings, and be the judge of the elections, ~~returns~~  
2095 returns, and qualification of its members. Whenever there shall be a vacancy in the office of delegate from any district or  
2096 county by reason of failure to elect, ineligibility, death, resignation or otherwise, a writ of election to fill such vacancy shall  
2097 be issued by the Governor, and such vacancy shall be filled by the qualified electors of such district or county.

2098           Section 184. Amend § 3, Article XVI of the Delaware Constitution by making deletions as shown by strike  
2099 through and insertions as shown by underline as follows:

2100           § 3. Receiving, ~~tallying~~ tallying, and counting votes for or against Convention; return of vote; enabling legislation.

2101           ~~Section 3.~~The General Assembly shall provide for receiving, ~~tallying~~ tallying, and counting the votes for or  
2102 against a Convention, and for returning to the General Assembly at its next session the state of such vote; and shall also  
2103 enact all provisions necessary for giving effect to this Article.

2104           Section 185. Amend § 4, Article XVI of the Delaware Constitution by making deletions as shown by strike  
2105 through and insertions as shown by underline as follows:

2106           § 4. Approval of bills or resolutions under this ~~article~~; Article; exemption from ~~Article III, section 18.~~ Section 18  
2107 of Article III.

2108           ~~Section 4.~~No bill or resolution passed by the General Assembly under ~~or pursuant to~~ the provisions of this Article,  
2109 shall require for its validity the approval of the Governor, and the same shall be exempt from the provisions of Section 18  
2110 of Article III, ~~of this Constitution.~~ III.

2111           Section 186. Amend § 5, Article XVI of the Delaware Constitution by making deletions as shown by strike  
2112 through and insertions as shown by underline as follows:

2113           § 5. Separate ballots on question of Convention.

2114           ~~Section 5.~~In voting at any general election, upon the question, "Shall there be a Convention to revise the  
2115 Constitution and amend the same?", the ballots shall be separate from those cast for any person voted for at such ~~election,~~  
2116 election and shall be kept distinct and apart from all other ballots.

2117           Section 187. Amend § 1, Article XVII of the Delaware Constitution by making deletions as shown by strike  
2118 through and insertions as shown by underline as follows:

2119           § 1. Continuity of state and local governmental operations in periods of emergency.

2120           ~~Section 1.~~The General Assembly, in order to ~~insure~~ ensure continuity of State and local governmental operations  
2121 in periods of emergency resulting from enemy attack, terrorism, disease, accident, or other natural or man-made disaster,  
2122 shall have the power and the immediate duty (1) to provide for prompt and temporary succession to the powers and duties  
2123 of public offices whose immediate succession is not otherwise provided for by this Constitution, of whatever nature and  
2124 whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and  
2125 duties of such offices, and (2) to adopt such other measures as may be necessary and proper for ~~insuring~~ ensuring the  
2126 continuity of governmental operations. In the exercise of the powers conferred by this ~~section,~~ Section, the General



2127 Assembly shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of  
2128 the General Assembly to do so would be impracticable or would cause undue delay.

2129 Section 188. Amend § 1, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2130 and insertions as shown by underline as follows:

2131 § 1. Delivery, ~~filing~~ filing, and publication of enrolled copy of amended Constitution and Schedule.

2132 ~~Section 1.~~ The President of this Convention, immediately on its adjournment, shall deliver the enrolled copy of  
2133 this amended Constitution and Schedule to the Secretary of State, who shall file the same in ~~his or her~~ the Secretary of  
2134 State's office, and the Secretary of this Convention shall cause the same to be published ~~three~~ 3 times in ~~two~~ 2 newspapers  
2135 in each county of ~~the~~ this State.

2136 Section 189. Amend § 2, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2137 and insertions as shown by underline as follows:

2138 § 2. Effective date of amended Constitution.

2139 ~~Section 2.~~ This amended Constitution shall take effect on the tenth day of June in the year ~~one thousand eight~~  
2140 ~~hundred and ninety-seven.~~ 1897.

2141 Section 190. Amend § 3, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2142 and insertions as shown by underline as follows:

2143 § 3. Effect on offices of Senators and Representatives; election.

2144 (a) ~~Section 3.~~ The offices of the present Senators and Representatives shall not be vacated or otherwise affected by  
2145 this amended Constitution, except that the Senators whose terms do not expire on the day of the next general election shall  
2146 thereafter represent the districts in which they now reside until the end of the terms for which they were elected.

2147 (b) At the general election to be held in the year ~~one thousand eight hundred and ninety-eight,~~ 1898, there shall be  
2148 elected from each of the even numbered Senatorial Districts in ~~the~~ this State, except District number ~~two~~ 2 in New Castle  
2149 County, District number ~~four~~ 4 in Kent County, and District number ~~two~~ 2 in Sussex County, a Senator for the term of ~~two~~  
2150 2 years, and from each of the odd numbered Senatorial Districts in ~~the~~ this State a Senator for the term of ~~four~~ 4 years.

2151 (c) And thereafter, as the ~~said~~ terms shall from time to time expire, a Senator shall be elected from each of the ~~said~~  
2152 Senatorial Districts for the full term of ~~four~~ 4 years.

2153 (d) At the general election to be held in the year ~~one thousand eight hundred and ninety-eight,~~ 1898, there shall be  
2154 elected in each Representative District in ~~the~~ this State ~~one~~ 1 Representative for the term of ~~two~~ 2 years.

2155 Section 191. Amend § 4, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2156 and insertions as shown by underline as follows:

2157 § 4. Commencement of terms of members of General Assembly.

2158 [~~Transferred to §3~~ Section 3 of Article II].

2159 Section 192. Amend § 5, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2160 and insertions as shown by underline as follows:

2161 § 5. Date of first general election.

2162 ~~Section 5.~~The first general election under this amended Constitution shall be held on the Tuesday next after the  
2163 first Monday in the month of November in the year ~~one thousand eight hundred and ninety-eight~~. 1898.

2164 Section 193. Amend § 6, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2165 and insertions as shown by underline as follows:

2166 § 6. Effect on Governor's term.

2167 ~~Section 6.~~The term of office of the present Governor shall not be vacated, or in any wise affected by this amended  
2168 Constitution.

2169 Section 194. Amend § 7, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2170 and insertions as shown by underline as follows:

2171 § 7. Continuation of elective and appointive offices; election of successors; renewal of official obligations.

2172 ~~Section 7.~~Unless otherwise provided by this amended Constitution or Schedule, all persons elected or appointed  
2173 before this amended Constitution shall take effect, to State or county offices made elective by this amended Constitution,  
2174 whose terms will expire before the first Tuesday in January in the year ~~one thousand eight hundred and ninety-nine~~, 1899,  
2175 shall hold their respective offices until the ~~said~~ last mentioned day; and all persons elected or appointed as aforesaid to such  
2176 offices, whose terms will expire between the ~~said~~ first Tuesday in January in the year ~~one thousand eight hundred and~~  
2177 ~~ninety-nine~~ 1899 and the first Tuesday in January in the year ~~one thousand nine hundred and one~~, 1901, shall hold their  
2178 respective offices until the ~~said~~ last mentioned day; and all persons elected or appointed as aforesaid to such offices, whose  
2179 terms will expire between the ~~said~~ first Tuesday in January in the year ~~one thousand nine hundred and one~~ 1901 and the  
2180 first Tuesday in January in the year ~~one thousand nine hundred and three~~, 1903, shall hold their respective offices until the  
2181 ~~said~~ last mentioned day; and the successors of such persons shall be elected at the general election next before the  
2182 expiration of the terms as hereby extended; provided, however, that the successors of the present Auditor of Accounts, State  
2183 ~~Treasurer~~ Treasurer, and Insurance Commissioner shall be elected at the general election next preceding the expiration of  
2184 their several terms of office, and the persons so elected shall enter upon the duties of their respective offices on the first  
2185 Tuesday in January following their election. The officers whose terms of office are extended by this ~~section~~ Section shall  
2186 renew their official obligations upon the expiration of their present terms.

2187 Section 195. Amend § 8, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2188 and insertions as shown by underline as follows:

2189 § 8. Date of commencement of terms of elective officers.

2190 [Transferred to ~~§ 24~~ Section 24 of Article III.]

2191 Section 196. Amend § 9, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2192 and insertions as shown by underline as follows:

2193 § 9. Date of abolition of courts and judicial offices; transfer of pending proceedings and books, ~~records~~ records,  
2194 and papers.

2195 (a) ~~Section 9.~~ All the courts of justice now existing shall continue with their present jurisdiction, and the  
2196 Chancellor and judges shall continue in office until the tenth day of June in the year ~~one thousand eight hundred and ninety-~~  
2197 ~~seven; 1897;~~ upon which day the ~~said~~ courts shall be abolished, and the offices of the ~~said~~ Chancellor and judges shall  
2198 expire.

2199 (b) All writs of error, and appeals and proceedings which, on the ~~said~~ tenth day of June in the year ~~one thousand~~  
2200 ~~eight hundred and ninety-seven~~ 1897 shall be depending in the Court of Errors and Appeals, and all the books, ~~records~~  
2201 records, and papers of ~~said~~ the court, shall be transferred to the Supreme Court established by this amended Constitution;  
2202 and the ~~said~~ writs of error, ~~appeals~~ appeals, and proceedings shall be proceeded in the ~~said~~ Supreme Court to final  
2203 judgment, ~~decree~~ decree, or other determination.

2204 (c) All suits, proceedings, and matters which, on the ~~said~~ tenth day of June in the year ~~one thousand eight hundred~~  
2205 ~~and ninety-seven; 1897,~~ shall be depending in the Superior Court, and all books, ~~records~~ records, and papers of the ~~said~~  
2206 ~~court;~~ Court, shall be transferred to the Superior Court established by this amended Constitution, and the ~~said~~ suits,  
2207 ~~proceedings~~ proceedings, and matters shall be proceeded in to final judgment, or determination, in the ~~said~~ Superior Court  
2208 established by this amended Constitution.

2209 (d) All indictments, ~~proceedings~~ proceedings, and matters which, on the ~~said~~ tenth day of June in the year ~~one~~  
2210 ~~thousand eight hundred and ninety-seven; 1897,~~ shall be depending in the Court of General Sessions of the Peace and Jail  
2211 ~~Delivery~~ Delivery, shall be transferred to and proceeded in to final judgment and determination in the Court of General  
2212 Sessions established by this amended Constitution, or be otherwise disposed of by the Court of General Sessions, and all  
2213 books, ~~records~~ records, and papers of ~~said~~ the Court of General Sessions of the Peace and Jail Delivery shall be transferred  
2214 to the ~~said~~ Court of General Sessions.

2215 (e) All indictments, ~~proceedings~~ proceedings, and matters which, on the ~~said~~ tenth day of June in the year ~~one~~  
2216 ~~thousand eight hundred and ninety-seven; 1897,~~ shall be depending in the Court of Oyer and Terminer, shall be transferred

2217 to and proceeded in to final judgment and determination in the Court of Oyer and Terminer, established by this amended  
2218 Constitution, and all books, ~~records~~ records, and papers of ~~said the~~ the Court of Oyer and Terminer shall be transferred to ~~said~~  
2219 the Court of Oyer and Terminer established by this amended Constitution.

2220 (f) All suits, proceedings and matters which, on the ~~said~~ tenth day of June in the year ~~one thousand eight hundred~~  
2221 ~~and ninety seven,~~ 1897, shall be depending in the Court of Chancery, or in the Orphans' Court, and all records, ~~books~~  
2222 books, and papers of ~~said the~~ the courts respectively, shall be transferred to Court of Chancery or Orphans' Court respectively,  
2223 established by this amended Constitution; and the suits, ~~proceedings~~ proceedings, and matters, shall be proceeded in to final  
2224 decree, ~~order~~ order, or other determination.

2225 Section 197. Amend § 10, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2226 and insertions as shown by underline as follows:

2227 § 10. Registers' Court and jurisdiction of justice of the peace unaffected.

2228 ~~Section 10.~~ Unless otherwise provided, the Registers' Courts and the jurisdiction of Justice of the Peace shall not  
2229 be affected by this amended Constitution.

2230 Section 198. Amend § 11, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2231 and insertions as shown by underline as follows:

2232 § 11. Payments to certain incumbent judges not reappointed.

2233 ~~Section 11.~~ If the Chancellor, ~~Chief Justice~~ Chief Justice, or any Judge in office at the time this amended  
2234 Constitution shall take effect shall not be appointed Chancellor, ~~Chief Justice~~ Chief Justice, or Judge under this amended  
2235 Constitution, ~~he or she~~ each shall be entitled to receive the sum of ~~fifteen hundred dollars~~ \$1,500 per annum, payable  
2236 quarterly, for ~~five~~ 5 years, after the expiration of ~~his or her office, if he or she shall so long live.~~ office, or until death,  
2237 whichever occurs first.

2238 Section 199. Amend § 12, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2239 and insertions as shown by underline as follows:

2240 § 12. First biennial session of General Assembly under Constitution.

2241 ~~Section 12.~~ The first biennial session of the General Assembly under this amended Constitution shall commence  
2242 on the first Tuesday in January in the year ~~one thousand eight hundred and ninety nine.~~ 1899.

2243 Section 200. Amend § 13, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2244 and insertions as shown by underline as follows:

2245 § 13. Exceptions to limitations on amount of compensation payable to members of General Assembly and  
2246 presiding officers.

2247           ~~Section 13.~~The provisions of Section 15 of Article II of this amended Constitution limiting the amount of the  
2248 compensation of the members of the General Assembly and the presiding officers of the respective Houses shall not apply  
2249 to any adjourned, ~~special~~ special, or extra session of the General Assembly held ~~prior to~~ before the first Tuesday in January  
2250 in the year ~~one thousand eight hundred and ninety-nine.~~ 1899.

2251           Section 201. Amend § 14, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2252 and insertions as shown by underline as follows:

2253           § 14. Renewal of existing corporations until enactment of general incorporation law.

2254           ~~Section 14.~~Until the General Assembly shall enact a general incorporation law as provided for in Section 1 of  
2255 Article IX of this amended Constitution, existing corporations may, be renewed for a period not exceeding ~~four~~ 4 years,  
2256 without change or enlargement of their corporate powers or duties, in the manner lawful before this amended Constitution  
2257 shall take effect.

2258           Section 202. Amend § 15, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2259 and insertions as shown by underline as follows:

2260           § 15. Guardians' accounts.

2261           ~~Section 15.~~Until the General Assembly shall otherwise provide, guardians' accounts shall be filed with and be  
2262 adjusted and settled by the Register of Wills for the county, and be subject to exception, hearing, ~~adjustment~~ adjustment,  
2263 and settlement in the Orphans' Court for the county as before this amended Constitution took effect.

2264           Section 203. Amend § 16, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2265 and insertions as shown by underline as follows:

2266           § 16. Terms of office of persons holding office on effective date of Constitution.

2267           ~~Section 16.~~Unless otherwise provided by this amended Constitution or Schedule, the terms of persons holding  
2268 public offices to which they have been elected or appointed at the time this amended Constitution and Schedule shall take  
2269 effect, shall not be vacated or otherwise affected thereby.

2270           Section 204. Amend § 17, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2271 and insertions as shown by underline as follows:

2272           § 17. Vacancies in Board of Pardons.

2273           ~~Section 17.~~One or more vacancies in the Board of Pardons shall not invalidate any act of the remaining members  
2274 of ~~said~~ the Board not less than ~~three~~ 3 in number.

2275           Section 205. Amend § 18, Schedule of the Delaware Constitution by making deletions as shown by strike through  
2276 and insertions as shown by underline as follows:

2277 § 18. Laws consistent with Constitution not affected.

2278 ~~Section 18.~~ All the laws of this State existing at the time this Constitution shall take effect, and not inconsistent

2279 with ~~it~~ it, shall remain in force, except so far as they shall be altered by future laws.

2280 Section 206. Amend § 19, Schedule of the Delaware Constitution by making deletions as shown by strike through

2281 and insertions as shown by underline as follows:

2282 § 19. Enabling legislation.

2283 ~~Section 19.~~ The General Assembly, as soon as conveniently may be after this Constitution shall take effect, shall

2284 enact all laws necessary or proper for carrying out the provisions thereof.

2285 Section 207. This Act adopts the headings for each Section of the Delaware Constitution as published by the

2286 Delaware Code Revisors and amended in this Act.

#### SYNOPSIS

This Act is the first leg of an amendment to the Delaware Constitution to make technical corrections to the Delaware Constitution.

First, this Act makes the language of the Delaware Constitution gender silent. Senate Bill No. 97 (152nd General Assembly), enacted as Chapter 42 of Volume 84 of the Laws of Delaware, directed the Code Revisors to use gender silent techniques to ensure masculine or feminine pronouns are not used in Delaware Code unless the usage requires otherwise. Thus, instead of drafting a law to say, “The Governor may appoint an individual if he or she deems him or her qualified”, following gender silent techniques the law would say, “The Governor may appoint an individual if the Governor deems the individual qualified.” This technique has the added benefit of providing clarity as many times use of multiple masculine or feminine pronouns can result in confusion as to which noun the pronouns refer. This Act would apply this same drafting technique to the Delaware Constitution. This action is consistent with the General Assembly’s amendment of the Constitution in 1999 following the adoption of a law directing the Code Revisors to gender neutralize or otherwise ensure that a solely masculine or feminine designation never occurs unless it could only apply to one gender.

Second, this Act makes additional technical corrections identified by the General Assembly's Division of Research. Specifically, these technical corrections include the following:

(1) Officially authorizing the headings for each Section of the Delaware Constitution as the headings are contained in the “Constitution of the State of Delaware, Adopted 1897, As Amended”, as published by the Delaware Code Revisors in the Delaware Code. The headings for each Section of the Delaware Constitution are not original to the Constitution adopted in 1897. These headings were added during the 1953 revision to the Delaware Code. Since the 1953 revision to the Delaware Code, publication of the Constitution has included headings for each Section of the Delaware Constitution in the version of the Delaware Constitution published in the Delaware Code. Almost immediately after the 1953 revision to the Delaware Code, the General Assembly began enacting new constitutional amendments with headings and amending existing Sections of the Delaware Constitution using the headings provided or making amendments to the headings provided. However, these headings were not officially authorized by the General Assembly. Consistent with § 306 of Title 1 of the Delaware Code, the intent of authorizing all headings in the Delaware Constitution is for the purpose of convenient reference, not as an interpretive tool for the courts.

(2) Based on the adoption of headings for each Section of the Delaware Constitution, removing existing Section numbers and relying instead on the adopted headings.

(3) Consistently using the series (Oxford) comma.

(4) Implementing a consistent hierarchy scheme and naming, consistent with the Delaware Code.

(5) Implementing a consistent scheme for naming, capitalization, and citing of references to provisions of the Delaware Constitution.

(6) Implementing a consistent scheme for numbers used for time, dates, and money by using the numerical form of the number only.

(7) Capitalizing consistent with standard capitalization rules.

(8) Replacing references to “this amended Article IV of this Constitution” with “this Article”.

(9) Replacing references to “this amended Article IV of this Constitution becomes effective” with “May 14, 1951”, which is the date the referenced amendments took effect.

(10) Removing usages of “but not limited to”.

(11) Removing from § 8 of Article IV a definition providing that “Supreme Court”, as used in § 4 of Article V, means the Superior Court and replacing “Supreme Court” in § 4 of Article V with “Superior Court” for clarity.

(12) Removing § 11(c) of Article VIII from the Constitution. This provision was not intended to be included in the Constitution as it was drafted as a separate bill section of the bill that proposed and concurred in the constitutional amendment creating § 11(a) and (b). It was intended to apply only to taxes or licenses fees authorized by the General Assembly but not yet effective and so not intended to be included in the Constitution.

(13) Inserting the effective date of the constitutional amendment that enacted § 12 of Article VIII for clarity.

(14) Correcting misspellings and misused words.

(15) Making corrections to Section headings.

(16) Making technical changes to § 4A of Article V, including to remove an “either” that is inappropriately used in a list of more than 2 items.

(17) Removing the hyphen in “Lieutenant Governor” and “Attorney General”.

(18) Changing references to “the State” to “this State”.

(19) Removing usages of “said”.

Amending the Delaware Constitution requires not only the passing of the changes in this Act, but also passage of the same changes after the next general election by the next General Assembly.

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 to amend the Delaware Constitution.