SPONSOR: Rep. Michael Smith & Rep. K. Williams & Rep. Griffith & Sen. Buckson
Reps. Chukwuocha, Hensley; Sen. Cruce

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE BILL NO. 188

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS.

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

Section 1. Amend § 3110, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3110. Qualifications of voters.

(a) An elector may vote in the primary election of a political party ~~only~~ if the elector is a duly registered voter and if it appears upon the elector's original permanent registration record that the elector's party affiliation is the same as the party which is holding the primary election or if the elector qualified under subsection (b) of this section.

(b) An elector may vote in the primary election of a political party if the elector is a duly registered voter and if it appears on the elector's original permanent registration record that the elector is unaffiliated with a party.

Section 2. Amend § 3161, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 3161. Voting procedure.

(a) The voting procedure at any primary election shall be the same as at any general election, except that the officers shall first determine from the voter's original permanent registration record whether the voter's party affiliation is the same as the party holding the primary election, and, if they are not the same, and the voter is not qualified under subsection (b) of § 3110 of this Title, the voter shall not be permitted to vote in the primary election.

(b) Notwithstanding any provision to the contrary, if a qualified unaffiliated voter who is registered to vote ~~for the first time pursuant to § 2050A of this title appears at a primary election and indicates the intent to enroll in the party holding the primary election, such voter shall be enrolled immediately in that party and be permitted to cast a regular ballot for the primary election~~ appears at a primary election and indicates the intent to vote in a political party's primary election and they qualify under § 3110 of this Title, they will be issued the party ballot of their choice and their preference will become public record, but they will not become automatically affiliated with that party.

Ssynopsis

This Act allows Delaware voters who are not affiliated with a political party to vote in a political party's primary election.

Currently there are approximately 170,000 registered Delaware voters who are not affiliated with a political party.

Members of a political party are not allowed to crossover and vote in another political party's primary election