



SPONSOR: Rep. Bentz & Sen. Henry
Reps. Baumbach, Heffernan, Q. Johnson, Keeley,
Kowalko, Lynn, Mitchell, B. Short, K. Williams; Sens.
Hansen, Marshall, Townsend

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 90

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO EARLY VOTING.

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

- 1 Section 1. Amend Title 15 of the Delaware Code by inserting a new Chapter 54 as shown by underline as follows:
- 2 CHAPTER 54. EARLY VOTING
- 3 § 5401. Early voting.
- 4 (a) For at least 10 days, up to and including the Saturday and Sunday immediately prior to any primary election,
5 general election, special election for statewide or local offices and any election held under the provisions of Chapter 73 of
6 this Title, a qualified voter, duly registered, may vote in person at locations designated by the Commissioner. The polls
7 shall be open for at least 8 hours on each day of early voting, and shall close no earlier than 7 p.m and on at least 5 of the
8 early voting days shall open by 7 a.m.
- 9 (b) The procedure for early voting shall be as set out in Chapter 49 of this title, subject to any exceptions set forth
10 in this chapter.
- 11 (c) The Commissioner shall determine whether early voting shall take place by voting machine or by paper ballot.
- 12 (d) The tabulation of early voting ballots shall be done at the same time as the tabulation of absentee ballots.
- 13 (e) The Commissioner shall designate and publish locations for early voting at least 30 days prior to any scheduled
14 election. In the case of a statewide election, at least one early voting location shall be designated in each county with an
15 additional location in the City of Wilmington.
- 16 (f) The Department of Elections shall establish procedures for daily updates of polling records to ensure the
17 integrity of the election.
- 18 Section 2. This Act shall take effect January 1, 2020.

SYNOPSIS

This bill establishes in-person early voting for the State of Delaware. Registered voters will be allowed to vote in-person for at least 10 days prior to an election, up to and including the Saturday and Sunday immediately prior to the election at locations determined by the Commissioner. The Commissioner is also charged with determining whether such voting should occur by voting machine or paper ballot. All other procedures relating to conducting voting are the same as

for election day voting. For statewide elections the statute directs that there must be at least one in-person polling place in each county, and an additional location in the city of Wilmington. This Act takes effect on January 1, 2020.