



SPONSOR: Rep. Morrison & Sen. Lockman
Reps. Gorman, Berry, Harris, Romer; Sens. Sokola,
Sturgeon

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 301
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS AND CRIMINAL OFFENSES.

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

Section 1. Amend § 5138, Title 15 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 5138. ~~Breach of peace or violence on election day;~~ Violence, threat of violence, interference with electors;
penalty.

(a) ~~Whoever It is unlawful, on any day of election or early in-person voting or during the reading and counting of the votes cast thereat causes any breach of the peace or uses to engage in any of the following with the intent to impede or interfere with the election:~~

(1) ~~The use of any violence or threats of violence whereby any such election or reading and counting of ballots is impeded or hindered or whereby the lawful proceedings of election officers or challengers at such election are interfered with at or near a polling place, a Department of Elections office, a meeting of the Board of Canvass, or any other place where votes are cast, stored, read, or counted.~~

(2) ~~Hindering, controlling, coercing, or intimidating or attempting to hinder, control, coerce, or intimidate any qualified elector of this State from or in the exercise of the elector's right to vote.~~

(b) ~~shall be fined not more than \$200 or imprisoned not more than 2 years, or both. A violation of subsection (a) of this section is a class G felony.~~