



SPONSOR: Sen. Katz & Rep. Bennett
Rep. Jaques

DELAWARE STATE SENATE
145th GENERAL ASSEMBLY

SENATE BILL NO. 154

AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED RELATING TO VOTING.

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

Section 1. Amend Article V, Section 2 of the Delaware Constitution of 1897, as amended by striking the following words where they appear therein:

“Every citizen of this State of the age of twenty-one years who shall have been a resident thereof one year next preceding an election, and for the last three months a resident of the county, and for the last thirty days a resident of the hundred or election district in which he or she may offer to vote, and in which he or she shall have been duly registered as hereinafter provided for, shall be entitled to vote at such election in the hundred or election district of which he or she shall at the time be a resident, and in which he or she shall be registered, for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the people; provided, however, that no person who shall attain the age of twenty-one years after the first day of January in the year of our Lord, nineteen hundred, or after that date shall become a citizen of the United States, shall have the right to vote unless he or she shall be able to read this Constitution in the English language and write his or her name; but these requirements shall not apply to any person who by reason of physical disability shall be unable to comply therewith; and provided also, that no person in the military, naval, or marine service of the United States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State;”

and inserting in lieu thereof the following words:

“§2. Qualifications for voting.

Every applicant for registration shall be a qualified voter if such applicant is a citizen of the United States of the age of 18 years and upwards, or who will be 18 years old on or before the day of the general election next succeeding the applicant’s registration, and is a bona fide resident of the State;”

Section 2. Amend Article V, Section 2A of the Delaware Constitution of 1897, as amended, by striking said section in its entirety.

22 Section 3. Amend Article V, Section 2B of the Delaware Constitution of 1897, as amended, by striking said
23 section in its entirety.

24 Section 4. Amend Article V, Section 4, of the Delaware Constitution of 1897, as amended, by striking said
25 section in its entirety and substituting in lieu thereof the following:

26 “§4. Registration of voters.

27 The General Assembly shall enact uniform laws for the registration of voters in this State”

28 Section 5. Amend Article V, Section 4A of the Delaware Constitution of 1897, as amended, by striking said
29 section in its entirety and substituting in lieu thereof the following:

30 “§4A. Absentee Voting.

31 The General Assembly shall enact general laws providing the circumstances, rules and procedures by which duly
32 qualified electors may vote by absentee ballot.”

SYNOPSIS

This is the first leg of a constitutional amendment that would change the voting age as stated in the constitution to 18 as provided in the 26th Amendment of the U.S. Constitution, modernize the language, and remove the reasons for which a person may vote by absentee ballot from the constitution. It also broadens the authority of the General Assembly to establish the circumstances, rules and procedures for registration and absentee voting.

Author: Senator Katz