



SPONSOR: Rep. Jaques & Sen. Henry & Sen. Townsend
Reps. Baumbach, Kowalko, Paradee, B. Short, Viola;
Sen. Blevins

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 105

AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF
DELAWARE 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):

1 Section 1. Amend Article V, §4A of the Constitution of the State of Delaware, by making deletions as shown by
2 strike through and insertions as shown by underline as follows:

3 § 4A. General laws for absentee voting.

4 Section 4A. ~~The General Assembly shall enact general laws providing that any qualified elector of this State, duly~~
5 ~~registered, who shall be unable to appear to cast his or her ballot at any general election at the regular polling place of the~~
6 ~~election district in which he or she is registered, either because of being in the public service of the United States or of this~~
7 ~~State, or his or her spouse or dependents when residing with or accompanying him or her because of the nature of his or her~~
8 ~~business or occupation, because of his or her sickness or physical disability, because of his or her absence from the district~~
9 ~~while on vacation, or because of the tenets or teachings of his or her religion, may cast a ballot at such general election to~~
10 ~~be counted in such election district.~~ The General Assembly shall enact general laws providing the circumstances, rules, and
11 procedures by which registered voters may vote by absentee ballot.

SYNOPSIS

This is the first leg of a constitutional amendment that would eliminate from the Delaware Constitution the
limitations as to when a person may vote by absentee ballot. This amendment to the Delaware Constitution provides that
the General Assembly shall enact general laws providing the circumstances, rules, and procedures for absentee voting.