



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
Margaret M. O'Neill Bldg., Suite 1
Dover, Delaware 19901
302-739-3621

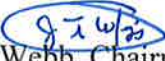
The Honorable John Carney
Governor

John A. McNeal
Director

MEMORANDUM

DATE: February 28, 2019

TO: All Members of the Delaware State Senate
and House of Representatives

FROM:  Mr. J. Todd Webb, Chairperson
State Council for Persons with Disabilities

RE: H.B. 39 (Same Day Voter Registration)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 39, which establishes same-day voter registration in the State of Delaware. Under current law, voters must register prior to the "fourth Saturday prior to the date of the election." 15 *Del. C.* § 2036. This bill changes the deadline to the day of the election and specifically permits voters to register at their polling places by submitting an application and identification with proof of address at the polling place. The bill permits multiple forms of identification including government issued photo identification, utility bills, bank statement, paycheck, and similar documents. The bill also changes the deadline for registrations that are mailed or completed by agencies other than the Department of Elections to require that the registrations be received prior to the deadline (i.e., prior to election day). Voters will still be able to register to vote in advance of the election using all of the means that presently exist. SCPD endorses the proposed legislation and has the following observations.

Although not specifically targeted toward persons with disabilities, this bill will benefit persons with disabilities. The current registration deadline is a significant distance from Election Day. This can cause persons who might want to register to miss the deadline if they are unaware of the registration deadline. Unlike the date of the election itself, the voter registration deadline is not nearly as well publicized. This bill will prevent that problem. Additionally, the current system requires a two-step process: (1) registration and (2) voting, that occur at separate times and places. Allowing both parts of the process to be completed at the same time and place (i.e., the polling place on Election Day) eliminates some of the burden on voters. For voters who prefer to register in-person, the ability to do so at their polling place on Election Day will make the

registration process much easier. Anything that removes or minimizes administrative burdens to voting is a benefit. For voters with disabilities, the elimination of those burdens is an added benefit since they could be more burdensome than they are to the average voter.

Although the minimization of administrative burdens is a good thing, the implementation of same-day voter registration may create accessibility problems for voters with disabilities. Voters attempting to register to vote on Election Day may require assistance from poll workers and some voters may require the registration materials in accessible formats. It will be extremely important for the Department of Elections to consider accessibility when it establishes its procedures for same-day registration at polling sites.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations or position on the proposed legislation.

cc: Ms. Laura Waterland, Esq.
Ms. Elaine Manlove, Commissioner of Elections
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

HB 39 same day voter registration 2-28-19