



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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The Honorable John Carney,
Governor

John McNeal, Director
SCPD

MEMORANDUM

DATE: April 24, 2023

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

FROM: Mr. Benjamin Shrader, Chairperson 
State Council for Persons with Disabilities

RE: HB 82 (Biennial Mailing of Polling Place Card and Election
Information)

The State Council for Persons with Disabilities (SCPD) has reviewed HB 82 which requires that the Delaware Department of Elections to mail a notice to all registered voters every two years, informing them of their polling place as well as information on all available methods of voting, dates and times of general and primary elections, deadlines for voter registration for each election and party change before a primary, and an outline of procedures and requirements, polling places, and early voting sites.

SCPD has the following observations:

- The notices must be mailed out no later than 30 days before the state primary election. When notices are returned as undeliverable, the Department will place the voter into “inactive” status. The voter remains eligible to vote as usual; removal from the voter rolls would occur if they do not vote in two consecutive general elections after becoming “inactive.” Voters may appeal the removal and re-register if eligible.

- In addition, some voters' polling places changed due to the redistricting that took place after the 2020 election. All these factors created a great deal of confusion and many complaints that voters had not been properly informed. This appears to be the primary motivation behind this bill, which has bipartisan support.
- The provision of accurate and timely information for voters is a positive development and important to ensure the development of the new notices includes accessible formats for voters with disabilities. Any legislation that creates a new avenue for the possible removal of voters from the rolls needs careful consideration to avoid unintended consequences that could suppress or disenfranchise voters.

SCPD endorses this legislation with the caveat that DOE makes these materials available in accessible formats. There is a concern that the bill may have the unintended consequence of removing more people from voter rolls.

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

cc: Ms. Laura Waterland, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

HB 82 Biennial Mailing of Polling Place Card 4-24-23