



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES

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MEMORANDUM

DATE: March 11, 2013

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

FROM: Ms. Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: H.B. 20 [Absentee Voting]

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 20 which is the first leg of a constitutional amendment that would eliminate from the Delaware Constitution the requirements as to when a person may vote by absentee ballot. As background, legislation (S.B. 143) was introduced in 2011 to effect multiple changes in the Delaware Constitution related to voting. That bill passed the Senate in 2012 but not the House. The new legislation (H.B. 20) is more restrained. It extracts one section (absentee voting) from the prior legislation which becomes the sole focus of H.B. 20. SCPD endorses the proposed legislation and has the following observation.

The Delaware Constitution is somewhat prescriptive in authorizing absentee ballots. For example, it contemplates use of absentee ballots based on "sickness or physical disability" but omits any reference to "mental disability". The bill would remove limitations and simply allow the General Assembly to enact laws covering qualifications for use of absentee ballots.

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

cc: Ms. Elaine Manlove
Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council