



Governor's Advisory Council for Exceptional Citizens (GACEC)
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MEMORANDUM

DATE: April 27, 2017

TO: The Honorable Members of the Delaware General Assembly

FROM: Dafne A. Carnright, Chairperson
GACEC

RE: **House Bill No. 63 (Absentee Voting)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 63 which would eliminate from the Delaware Constitution the limitations as to when an individual 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. Since it amends the Delaware Constitution, the legislation would have to be adopted by a 2/3 vote in successive General Assemblies to take effect. Council **endorses** the proposed legislation.

The majority of states authorize the use of absentee ballots for any reason; however, the Delaware Constitution does not authorize absentee ballots based on mental disability or caretaker status. This bill would remove those limitations and allow the General Assembly to enact laws covering qualifications for the use of absentee ballots.

The proposed bill is identical to House Bill No. 20 from the 147th General Assembly and House Bill No. 105 from the 148th General Assembly. The GACEC endorsed both of the prior bills. In a recent article, the prime sponsor is reported to have commented that "it's wrong that Delaware law currently allows a disabled person to vote absentee but could bar that person's full-time caregiver from doing the same." That article also notes that twenty-seven states allow "no excuse" absentee voting.

Thank you for your time and consideration of our observations and endorsement. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.

CC: Elaine Manlove, Delaware State Election Commissioner