



**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. 90 (Early Voting)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 90 which would authorize in-person early voting in Delaware elections. Polling locations would be published at least 30 days in advance (line 13). For statewide elections, at least one site would be required for each county and the City of Wilmington (lines 14-15). Council **endorses** the proposed legislation; however, we would suggest that the bill would benefit from a clarifying amendment.

The bill specifically incorporates the procedural protections in Chapter 49 to the early voting process (line 9). This would include provisions authorizing assistance to voters with disabilities and authorizing voter complaints (15 Del.C. §§4943 and 4990-4991). However, it does not specifically incorporate a statutory requirement that each polling place conform to the statutory accessibility standards of 15 Del.C. §4512. If the Commissioner designated an inaccessible polling location as the sole early voting site in a county, the effect on persons with disabilities could be quite serious. This prospect could easily be obviated by a simple amendment, i.e., inserting the following sentence after "election." in line 14: "The Commissioner shall only designate locations which comply with §4512 of this Title."

The advantages of early voting include a reduced need for absentee ballots and flexibility, especially since voting would be authorized on weekends. The enhanced flexibility would benefit persons with disabilities whose health status may fluctuate from day to day. The enhanced flexibility would also benefit caregivers of persons with disabilities who could schedule voting at an opportune time.

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.