



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

**DATE:** April 28, 2023

**TO:** The Honorable Members of the Delaware General Assembly

**FROM:** Ann C. Fisher, Chairperson  
GACEC

**RE:** **House Bill No. 82 Biennial Mailing of Polling Place Card and Election Information**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 82, which requires the Delaware Department of Elections (DOE) 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.
- Outline of procedures and requirements, polling places, and early voting sites.

Council **endorses** the proposed legislation, with the caveat that DOE makes these materials available in accessible formats. The provision of accurate and timely information for voters is unquestionably a positive development. It will be important to ensure that 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.

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 2022, many changes were enacted just three months before the primary and were then reversed before the general election. 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. There has been no suggestion or evidence that voter rolls in Delaware are not being maintained properly, or that ineligible persons are voting. We hope that the sponsors of the legislation will do all that they can to ensure that all materials are available in accessible formats and that this legislation will not be used to suppress or disenfranchise voters.

Thank you for your time and consideration of our support of the proposed legislation and our recommendations. Please feel free to contact me or Pam Weir at the GACEC office should you have any questions.