



SPONSOR: Rep. Morrison & Sen. S. McBride  
Reps. Baumbach, Lambert, Wilson-Anton; Sens. Hoffner,  
Lockman, Pinkney

HOUSE OF REPRESENTATIVES  
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 96

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO VOTING IN SCHOOL ELECTIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 10, Title 14 of the Delaware Code by making deletions as shown by strike though and insertions as shown by underline as follows:

§ 1077. Qualified voters.

~~Every citizen 18 years of age or over and a resident of the reorganized school district shall be eligible to vote at the school election in the reorganized school district in which that citizen resides, whether or not that citizen is at the time a registered voter for purposes of a general election.~~

(a) Every citizen 16 years of age or over and a resident of the reorganized school district shall be eligible to vote for the purpose of electing members to the board of education in the reorganized school district in which that citizen resides.

(b) Every citizen 18 years of age or over and a resident of the reorganized school district shall be eligible to vote in all public school elections in the reorganized school district in which that citizen resides.

§ 1078. Determination of qualifications of the voter.

(a) For the purpose of determining whether a person offering to vote at a school election is in fact the person he or she claims to be and is qualified to vote, that individual shall complete an affidavit, promulgated by the Commissioner of Elections, which shall affirm that the individual offering to vote is a qualified voter of the school district pursuant to § 1077 of this title. If it can be determined by a majority opinion of the inspector and both judges assigned to that polling place that the individual offering to vote has met the qualifications for that school election pursuant § 1077 of this title, then said individual shall be permitted to vote. Otherwise, an election official shall require the person offering to vote to produce reasonable identification of himself or herself and their place of residence in the school district. ~~The said identification may be:~~

(1) For voters age 18 years or older reasonable identification will consist of the following:

~~(+) a. Delaware driver's license;~~ license.

23                   (2) b. Delaware ID eard; card.

24                   (3) c. Work ID card with photo and address; or

25                   (4) d. U.S. postal material.

26                   (2) For voters ages 16 and 17 years old reasonable identification will consist of the following:

27                   a. Delaware driver's license, driver education learner's permit, or Level 1 learner's permit.

28                   b. Delaware ID card.

29                   c. School transcript with name, date of birth, and residential address.

30                   (b) If a vote is objected to for the reason that the person offering to vote is not qualified to vote in that school  
31 election, its admission or rejection shall be determined according to the opinion of a majority of the inspector and both  
32 judges assigned to that polling place.

33                   Section 2. This Act will take effect on January 1 following its enactment into law.

#### SYNOPSIS

This Act reduces the eligible age of a citizen to vote in school board elections for purposes of electing members to the school board from 18 years old to 16 years old. For all other public school elections, which includes referendums, the minimum voting age remains 18 years old. This Act also adds a driver education learner's permit, Level 1 learner's permit, and school transcript to the list of documents that may be presented to determine identification, and residence in the school district, in order to vote. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual. This Act will take effect January 1 after its enactment into law.