



June 20, 2023

Members of the House,

The [Delaware Voting Rights Coalition](#) (DVRC), the first statewide coalition of voting rights organizations and advocates comprised of 40 organizations, have serious concerns about the House Substitute 1 for HB 121 (HS 1 for HB 121). We urge you to vote NO on HS 1 for HB 121.

HS 1 for HB 121 allows for artificial entities - LLCs, corporations, and trusts - to vote in elections in Seaford, regardless of whether or not the business owner resides in Seaford. This legislation is not only a dangerous attack on election integrity, but also endangers the very foundation of our democracy by drowning out the voices of residents living in Seaford. Local elections already suffer from chronically low voter participation, making them vulnerable to candidates and policies that overlook the real needs of the community. Only 340 voters participated in Seaford's April municipal elections. HS 1 for HB 121 would grant 234 artificial entities voting rights in Seaford - nearly two-thirds of April's turnout. Choosing to allow these entities the right to vote is choosing to dilute the power of the people, a clear disregard for the fundamental right on which our civil liberties rest. Business owners have made their motivations to vote in Seaford clear through persistent [lobbying](#) efforts. Seaford residents' right to make decisions about their own community must be protected.

Another major problem with HS 1 for HB 121 is that it allows business owners the ability to vote twice - once where they live and once where their business is located. This gives business owners double the ability to shape Delaware to reflect their views and desires, overshadowing historically marginalized voices. In Delaware, only [41%](#) of small businesses are owned by women and [19%](#) of small businesses are owned by minorities. Opposing HS 1 for HB 121 is a matter of economic and racial justice. The power of one's voice in determining Delaware's future cannot be tied to financial resources or business ownership.

This bill also directly contradicts the Equal Protection Clause of the 14th Amendment. The Equal Protection Clause safeguards individuals and groups from discrimination by stating that a jurisdiction cannot treat some people differently than others. However, HS 1 for HB 121 only extends voting rights to business owners who own the business property, excluding those who rent property. This bill stipulates that business property owners have a vested interest in the outcomes of Seaford's municipal elections, as the outcomes can impact utility payments, revenue, and taxes. In reality, regardless of if a business owner owns or rents their property, the outcome of Seaford elections would impact both equally, yet, under HS 1 for HB 121, only those who own property are eligible to vote. This property requirement harkens back to the dark times in U.S. history where similar property requirements were put in place in order to prevent women, people of color, low-income individuals, and other marginalized groups from voting.

Our democracy is centered on the belief that every person is entitled to one vote and with that principle in mind, the DVRC urges you to vote no on HS 1 for HB 121.

Sincerely,
The Delaware Voting Rights Coalition

- AAUW-Newark Chapter
- ACLU of Delaware
- Alpha Kappa Alpha Sorority, Incorporated, Epsilon Iota Omega Chapter
- Alpha Kappa Alpha Sorority, Inc. -- Zeta Omega Chapter
- Alpha Phi Alpha Fraternity, Inc. - Gamma Theta Lambda Chapter
- Anti-Defamation League
- Building People Power
- Central DE NAACP Branch
- CLASI
- Coalition of Black Trade Unionists Delaware
- The Coalition to Dismantle the New Jim Crow
- Common Cause Delaware
- Delaware Center for Justice
- Delaware Coalition for Open Government
- Delaware Laborers -- Local 199
- Delaware State AFL-CIO
- Delaware Hispanic Commission
- Delaware State Association of Letter Carriers
- Delaware United
- Delta Sigma Theta Sorority, Inc., Wilmington (DE) Alumnae Chapter
- Latino Initiative on Restorative Justice
- Lawyers for Equal Access to Advocacy & Dignity
- League of Women Voters of Delaware
- Methodist Action Program
- March For Our Lives Delaware
- Metropolitan Wilmington Urban League
- National Coalition of 100 Black Women DE Chapter
- National Vote at Home Institute
- Network Delaware
- Poor People's Campaign
- Prisoners Legal Advocacy Network
- Progressive Democrats of Sussex County
- Seaside Jewish Community
- Sierra Club Delaware
- Sigma Gamma Rho Sorority, Inc., Alpha Nu Sigma Alumnae Chapter
- Southern Delaware Alliance for Racial Justice
- Unitarian Universalist Delaware Advocacy Network

- Votamos / We Vote Coalition
- Women's March Sussex - DE
- Working Families Party
- YWCA Delaware
- Zeta Phi Beta, Gamma Alpha Rho Zeta Chapter