



What is HB 75?

HB 75 WOULD PERMIT NO EXCUSE ABSENTEE VOTING: This bill allows for changes to the current laws governing absentee voting. It is the second leg of a constitutional amendment that would eliminate from the Delaware Constitution the limitations as to who is eligible to vote by absentee ballot. It provides that the General Assembly shall enact general laws providing the circumstances, rules, and procedures for absentee voting. This paves the way for no-excuse absentee voting.

Who are Currently Eligible Absentee Voters? Qualified registered voters who shall be unable to appear to cast his or her ballot at any primary, school board or general election at the regular polling place of the election district in which he or she is registered, either:

- because of being in the public service of the United States or of this State, or a spouse or dependents residing with or accompanying them,
- because of the nature of their business or occupation, including caregivers, students, and eligible incarcerated people,
- because of sickness or physical disability,
- because of absence from the district while on vacation,
- because of the tenets or teachings of their religion, or
- because of temporarily residing outside of the US, or are a spouse or dependents residing with or accompanying them.

Importantly, public health restrictions or fears are not included as qualifying reasons for not appearing on Election Day, which is why we need new legislation in 2022.

Why Delaware needs no-excuse absentee voting:

- No excuse absentee voting is a form of voting that allows anyone to request and submit an absentee ballot by mail, with no excuse needed.
- Delaware's Constitution is one of the most restrictive in the nation on voting rights, only recognizing six excuses for a person to be considered an absentee voter.
- The list of reasons why someone might need to submit their absentee ballot by mail is endless. Our right to vote outside of the confines of a polling station shouldn't be limited to only specific circumstances. People may want to vote absentee to:
 - Take time to study the issues and candidates on their ballot and get questions answered;
 - Decreases the number of people voting in-person at polling locations and/or avoid long lines and wait times on Election Day;
 - Plan for any unexpected threat that emerges, including, but not limited to, another pandemic.
- Safe and secure absentee voting has existed for nearly 80 years in Delaware – our elections officials know how to ensure that every registered voter's ballot counts, whether cast in-person, by mail, or at early-vote locations.
- We need a constitutional amendment so that ALL voters, no matter their reason, may receive and cast their Delaware ballot remotely.
- In 2019, HB 73, the first leg of this legislation required to make an amendment to the Delaware Constitution passed with only 3 Representatives voting no. In 2021, 16 Representatives did not vote for HB 75.
- During the 2020 election, emergency legislation permitted all voters to use absentee ballots due to COVID. Voter turnout increased by 7% with 1/3 of the votes cast by absentee or mail in ballots.
- 34 other states have permanent no excuse absentee voting or universal vote by mail programs. Delaware along with 13 southern states only allows absentee voting for a specific reason.