

House and Senate Republicans Roll Out Election Integrity Package

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House and Senate Republicans are introducing a package of legislation intended to improve the integrity and efficiency of Delaware's voting system.

The three bills and two concurrent resolutions seek to do the following:

- Establish the Registered Voter List Improvement Task Force.
- Review best practices to improve the verification of absentee ballot signatures.
- Increase penalties for voter fraud.
- Reform voter identification standards.
- Reform the standards for absentee ballot requests.

A Task Force to Improve Registered Voter List Accuracy

(Senate Concurrent Resolution)

This concurrent resolution proposes the formation of the Registered Voter List Improvement Task Force to review current laws and practices associated with compiling and maintaining Delaware's registered voter list and suggesting methods for improving its accuracy.

[Click here to read the legislation.](#)

Senate Prime: Sen. Dave Wilson

House Prime: Reps. Charles Postles & Ruth Briggs King

Co-sponsors: Sens. Bryant Richardson, Dave Lawson, Gerald Hocker, Brian Pettyjohn & Colin Bonini; Reps. Danny Short, Tim Dukes, Ron Gray, Rich Collins, Steve Smyk, Bryan Shupe, Lyndon Yearick, Shannon Morris, Jesse Vanderwende, Jeff Spiegelman, Kevin Hensley, Mike Ramone & Mike Smith

"The registered voter list is often used by state lawmakers and many others to perform constituent mailings and conduct other public outreach," said prime sponsor of the measure, State Sen. Dave Wilson (R-Lincoln). "Any time I've done a mailing using it, I always get back a lot of undelivered pieces."

How the issue of voter list accuracy could impact an election was illustrated last year leading up to the vote-by-mail presidential primary held on July 7, 2020 authorized by Gov. John Carney under COVID-19 State of Emergency declaration. Testifying before the House of Representatives on June 18, State Election Commissioner Anthony J.

Albence noted that his agency had received the return of approximately 55,000 undeliverable ballots of the nearly 544,000 ballots distributed to Delaware voters. The number of ballots that were sent to the wrong residence but were not returned is unknown.

Sen. Wilson cited another example of the voter list inaccuracy from his own district. He said during the most recent election cycle, one of his constituents told him she received mailings from the Department of Elections, sent to her address, under four different names. He said the constituent and her husband have lived in that residence for 13 years and have been the only occupants of the property.

The federal National Voter Registration Act (NRVA) contains basic rules and guidelines for maintaining state voter list rolls. However, the Act allows states to institute other provisions for the maintenance of voter rolls exceeding the requirements, as long as they are uniform and non-discriminatory.

“There is no excuse for not investigating this issue further to learn if there are opportunities for improvement,” Sen. Wilson said.

Review Signature Verification for Absentee Balloting **(House Concurrent Resolution)**

This concurrent resolution would direct the Department of Elections to review practices used here and in other states for verifying signatures on absentee ballots. Following the evaluation, elections officials would issue a report to the governor and state lawmakers on the potential opportunities for improving Delaware’s verification methods.

[Click here to read the legislation.](#)

House Primes: Reps. Steve Smyk & Mike Ramone

Senate Prime: Sen. Bryant Richardson

Co-sponsors: Reps. Danny Short, Tim Dukes, Ron Gray, Rich Collins, Ruth Briggs King, Bryan Shupe, Lyndon Yearick, Shannon Morris, Charles Postles, Jesse Vanderwende, Jeff Spiegelman, Kevin Hensley & Mike Smith
Sens. Dave Wilson, Dave Lawson, Gerald Hocker, Brian Pettyjohn & Colin Bonini

“In keeping with our efforts to ensure Delaware elections are safe and secure, I am sponsoring this resolution that requires the Department of Elections to review our practices on verifying absentee ballot signatures,” said prime sponsor, State Rep. Mike Ramone (R-Pike Creek South). “Given the nature of voting by absentee, it’s too easy for fraud to occur. If we’re doing everything right, then we have nothing to worry about, but I suspect there is room for improvement that will give voters the confidence they need in knowing that our absentee voting system is as secure as possible.”

State Rep. Steve Smyk (R-Lewes-Milton), who is also a prime sponsor of the measure, noted that the goal of the legislation is straightforward. “This is a simple, one-page bill,” he said. “It seeks to have our elections officials evaluate the best practices and technology for determining the veracity of absentee ballot signatures to see if we can improve our process. Whether it is private industry or a public agency, it is healthy to

periodically look at what you are doing and assess if it is still the best way to accomplish your goals.”

Increasing the Penalties for Illegal Voting

(House Bill)

This bill seeks to significantly increase the penalties for those found guilty of committing voter fraud. At present, people found guilty of illegally voting face a fine of between \$50 and \$200 and/or a prison sentence of between 30 days and two years. This bill would change the crime from an unclassified offense to a Class G non-violent felony. The revised law would maintain the possibility of up to two years in jail, but it would increase the fine to a minimum of \$1,000 for a first offense and a minimum of \$2,000 for any subsequent offense. Additionally, anyone found guilty of the offense would lose his or her right to vote for five years following the conviction.

[Click here to read the legislation.](#)

House Prime: Rep. Jesse Vanderwende

Senate Prime: Sen. Dave Wilson

Co-sponsors: Reps. Danny Short, Tim Dukes, Ron Gray, Rich Collins, Ruth Briggs King, Steve Smyk, Bryan Shupe, Lyndon Yearick, Shannon Morris, Charles Postles, Jeff Spiegelman, Kevin Hensley, Mike Ramone & Mike Smith; Sens. Bryant Richardson, Dave Lawson, Gerald Hocker, Brian Pettyjohn, & Colin Bonini

“The way the law is currently written, I do not think the penalties reflect the seriousness of the crime,” said State Rep. Jesse Vanderwende (R-Bridgeville, Greenwood), the House prime sponsor of the bill. “Illegal voting undermines the public’s confidence in the voting system and that is something we cannot stand for.”

Reforming Voter Identification Standards

(House Bill)

This legislation specifies that citizens wishing to vote at a polling place identify themselves by presenting a valid polling place card or one of 13 different types of photo ID. Any voter who is unable to provide an acceptable form of identification, or whose eligibility to vote cannot otherwise be determined, may cast a provisional ballot without any further action needed on the part of the voter. The ballot will be counted after the Department of Elections matches information provided by the voter against their registration records.

[Click here to read the legislation.](#)

House Prime: Rep. Rich Collins

Senate Prime: Sen. Colin Bonini

Co-sponsors: Reps. Danny Short, Tim Dukes, Ron Gray, Ruth Briggs King, Steve Smyk, Bryan Shupe, Lyndon Yearick, Shannon Morris, Charles Postles, Jesse Vanderwende, Jeff Spiegelman, Kevin Hensley, Mike Ramone & Mike Smith. Sens. Dave Wilson, Gerald Hocker, Brian Pettyjohn, Bryant Richardson & Dave Lawson

State Rep. Rich Collins (R-Millsboro), the prime sponsor of the measure, says he believes citizens will be supportive of his bill. “Citizens understand that they have to show ID to do almost anything in the real world. One of the biggest responsibilities we

have as citizens is casting a vote, and most citizens believe that if you are going to vote you should do so legally. Without requiring an ID, it is easy to game the system.”

A 2018 Pew Research Center survey lends credibility to Rep. Collins’s position. More than three-quarters of respondents (76%) supported “requiring all voters to show a government-issued photo ID to vote.”

The proposal being sponsored by most House and Senate Republicans would allow a broad scope of acceptable photo IDs, including not just those issued by federal, state, county, and municipal governments, but also those issued by public and private schools, colleges or universities, and Delaware employers.

The bill also continues to allow Department of Elections’ polling place cards to be used as valid identification at the polls. These cards are periodically mailed to registered voters and can also be requested from the agency, free-of-charge.

Any voter who is unable to provide an acceptable form of identification, or whose eligibility to vote could not otherwise be determined, may still cast a provisional ballot. These ballots, which already exist under Delaware law, would be processed by the Department of Elections prior to the election results being certified. The agency would determine the veracity of the ballot by matching basic information provided by the voter against their own records. Unlike the laws in “strict voter ID” states, no further action would be required on the part of the citizen after they leave the polling place.

Reforming Identification Standards for Absentee Ballot Requests **(House Bill)**

This bill seeks to harmonize existing law for requesting an absentee ballot. It would require voters to present a form of photo identification to Department of Elections’ staff processing the absentee ballot request. If the request is made via mail, a photocopy of an acceptable form of photo ID, as defined in the bill, would be required to be included. Forms of acceptable photo identification detailed in the bill not only include those issued by various governments, but also include schools and employers. This requirement would be consistent with voter absentee ballot requests made in-person or online via Delaware’s iVote system, which requires a driver’s license or state identification to register. In the event the Department of Elections receives an absentee ballot request form lacking valid identification as defined in this Act, the Department shall attempt to contact the voter to confirm his or her identity.

[Click here to read the legislation.](#)

House Prime: Rep. Lyndon Yearick

Senate Prime: Sen. Gerald Hocker

Co-sponsors: Reps. Danny Short, Tim Dukes, Ron Gray, Rich Collins, Ruth Briggs King, Steve Smyk, Bryan Shupe, Shannon Morris, Charles Postles, Jesse Vanderwende, Jeff Spiegelman, Kevin Hensley, Mike Ramone & Mike Smith
Sens. Bryant Richardson, Dave Lawson, Brian Pettyjohn, Dave Wilson & Colin Bonini

The bill's prime sponsor, State Rep. Lyndon Yearick (R-Camden, Wyoming), said his legislation is intended to apply voting standards equally. He said whether a citizen is voting at the polling place or requesting an absentee ballot at the Department of Elections, or seeking a ballot through the mail, identification standards should be consistently applied in all cases. "I think it is hypocritical to require one form of ID for voting in-person, but to not require the same for any other channel where an individual can vote," he said.

The ID protocols in this proposal are the same as those included in the voter ID bill included this package.

Conclusion

State House Minority Leader Danny Short (R-Seaford) said given the emotionally charged nature of any proposal dealing with election law, he is anticipating some people may react to the proposals without actually considering them. "We understand that we're going to hear some criticism about these bills," he said. "What I'm asking everyone to do is to cut through the rhetoric, read the bills, make up your own mind, and let us know what you think."

The legislation will be circulated for a week starting later today, giving House and Senate Democrats an opportunity to sign onto the legislation as prime sponsors or co-sponsors.

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