

Opinion No. 35-1122

August 2, 1935

BY: FRANK H. PATTON, Attorney General

TO: Hon. Fred J. Voorhees, District Attorney, Raton, New Mexico.

{*77} We have your letter of August 1, 1935 regarding qualifications for voters at the election to be held in Colfax County on the issuance of county bonds to erect a courthouse.

Under the provisions of Section 10, Article 9 of the State Constitution, only "qualified electors of the county who paid a property tax therein during the preceding year" are entitled to vote at such an election. In my opinion, this language is broad enough to include a person who has paid a tax upon personal property as well as real property. I do not think, however, that it includes a person who has merely bought a license plate for an automobile. Such registration fee may be in lieu of a property tax but in my opinion it is not a property tax. Where ex-service men have property exceeding in value the amount of their exemption and have paid a tax during the preceding year, I think they should be entitled to vote.

Trusting that this gives you the information desired, I am

By QUINCY D. ADAMS,

Asst. Atty. General