

Opinion No. 39-3166

June 7, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Miss Velma Dowdy, County Clerk, Albuquerque, New Mexico.

{*60} We are in receipt of your letter dated June 1 inquiring whether under the new permanent registration law (Chapter 152, Laws of 1939) one member of the household may register for the other members of such household.

The foregoing practice was heretofore permissible under Section 13, Chapter 147, Laws of 1935. However, this section was expressly repealed by Section 47 of Chapter 152, supra, and is no longer the law.

Nowhere in the new permanent registration act do I find anything that would permit one member of the household to register other members of such household. On the contrary, the new act contemplates only personal registration. See Section 2 of the Act.

The only exception I find to this is in Section 7 of the Act dealing with persons seeking to register who are unable to read or write either the English or Spanish language, or unable to read or write because of some physical disability, and in such cases the act permits a filling out of the registration affidavit by one of the registration officers and permits the elector to sign the affidavit with his mark, to be duly witnessed by two qualified electors of the county.

Trusting the foregoing sufficiently answers your inquiry, I am

By: FRED J. FEDERICI,

Asst. Atty. Gen.