

Opinion No. 39-3231

August 7, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Mrs. Jessie M. Gonzales, Secretary of State, Santa Fe, New Mexico.

{*91} I return the letter from Mr. Edward Penfield, County Clerk of Lincoln County, requesting a ruling on whether or not the county clerk is required by the statutes to register voters who come to the county clerk's office for registration in the future.

It is clear from the wording in Sections 2, 10, 15 and 39 of Chapter 152, Laws of 1939, that it is the duty of the county clerk to register qualified electors at any time throughout the year that they present themselves to be registered, except during the period of thirty (30) days before any primary or general election when Section 15 of the above statute requires the registration to be closed.

The penalty for failure to comply with this duty is very severe. Section 42, Chapter 152, Laws of 1939.

By: A. M. FERNANDEZ,

Asst. Atty. Gen.