

Opinion No. 548**Elections—Registration of Electors
—Residence—County Clerk.**

HELD: The county clerk should not accept the application for registration as an elector of one who is not a resident at the time of application, who will not have been a resident for the required period before the election, and whose application card was made without the county.

June 6, 1934

It appears that an application for registration as an elector has been filed in the office of the county clerk of your county from which it appears that the applicant for registration is registered in Missoula County; that the application was made before the county clerk of Missoula County; that the applicant was not, at the time of the making of this application and filing same, a resident of your county but that he expected to be a resident of the county prior to the primary election or thirty (30) days prior to such election, the last point not being clear from the evidence we have.

The question is: Should the applicant be registered at this time in your county?

Section 555, R. C. M., 1921, confines registration to residents. Section 559, R. C. M., 1921, permits the registration of those who have not resided in the county or city for the required length of time but who shall have done so at the time of the election. I do not believe that this statute contemplates, or would permit, the registration of one prior to his establishment of residence in your county.

As the application card appears to have been made without the county, it is not authorized under Section 557, R. C. M., 1921, as interpreted in 10 Attorney General's Opinions 11.

It is my opinion, therefore, that the county clerk should not accept the registration tendered.