

§121. Exclusive power of registrar

The registrar has the exclusive power, subject to section 163, to determine whether a person who applies for registration as a voter meets the qualifications prescribed by this Title. [PL 1985, c. 161, §6 (NEW).]

1. Oath may be required. In making this determination, the registrar may require any person who testifies before the registrar concerning the person's qualifications or those of another to swear to the truth of the person's statements. [RR 2019, c. 2, Pt. B, §36 (COR).]

1-A. Identification and proof. Registration applications taken by outside agencies must be transferred to the Secretary of State within 5 days of receipt. An applicant who attempts to register within 30 days of an election must be advised that the registrar might not receive the application before the deadline for online, mail or 3rd-person registration or for automatic voter registration set forth in section 121-A, but that the applicant may register in person no later than the deadline for in-person registration set forth in section 121-A.

Registration applications received by the Secretary of State from outside agencies 30 days or more before an election must be transferred to the appropriate registrar's office within 7 business days of receipt. Registration applications received by the Secretary of State from outside agencies less than 30 days before an election must be transferred to the appropriate registrar's office within 5 business days of receipt. Registration applications submitted online must be received by the Secretary of State by the deadline for registration set forth in section 121-A and must be transmitted to the appropriate registrar's office the next business day following receipt. Registration applications transmitted by the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or by a source agency other than the Bureau of Motor Vehicles pursuant to section 233 must be received by the Secretary of State by the deadline for registration set forth in section 121-A and must be transmitted to the appropriate registrar's office the next business day following receipt. Registration applications by mail or by a 3rd person must be received in the registrar's office by the close of business on the 21st day before election day in order for persons' names to appear on the incoming voting list for that election. The 20-day period before the election is the closed period for outside registrations, except for those registration applications transmitted by the deadline for registration set forth in section 121-A by the Department of the Secretary of State, Bureau of Motor Vehicles pursuant to section 232 or by a source agency other than the Bureau of Motor Vehicles pursuant to section 233. The registrar shall send the notice required by section 122 no later than the 18th day before election day to all voters whose applications were submitted online, submitted by mail or submitted by a 3rd person as long as the registrar received the application by the 21st day before election day.

A person who registers in person shall show proof of identity and residency. If satisfactory proof of identity and residency cannot be provided to the registrar or deputy, the person's name is entered into the central voter registration system and placed on the incoming voting list and the person casts a challenged ballot. If the person shows satisfactory proof of identity and residency prior to voting on election day, the person's ballot is not challenged.

[PL 2023, c. 291, §1 (AMD); PL 2023, c. 291, §4 (AFF).]

2. Political party not a qualification. The registrar shall be impartial as to the political party of the applicant in determining the applicant's voting qualifications.

[PL 1989, c. 313, §1 (AMD).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1989, c. 313, §1 (AMD). PL 1993, c. 473, §6 (AMD). PL 1993, c. 473, §46 (AFF). PL 1993, c. 695, §5 (AMD). PL 1997, c. 436, §22 (AMD). PL 1999, c. 426, §6 (AMD). PL 2005, c. 453, §12 (AMD). PL 2011, c. 534, §4 (AMD). RR 2019, c. 2, Pt. B, §36

(COR). PL 2021, c. 439, §2 (AMD). PL 2021, c. 439, §15 (AFF). PL 2023, c. 291, §1 (AMD). PL 2023, c. 291, §4 (AFF).

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