

VOTER REGISTRATION: All unregistered residents of Joplin are required to register before being eligible to vote, in primary and general elections, regardless of the county in which such city residents may reside.

---



April 6, 1956

Honorable John M. Rice  
Prosecuting Attorney  
Newton County  
Neosho, Missouri

Dear Mr. Rice:

Your recent request for an official opinion was stated as follows:

"I would appreciate your opinion concerning the following situation. Section 116.010 R. S. Mo. 1949 provides that 'there shall be a registration of qualified voters in every city containing at least ten thousand inhabitants located in any county not having a provision for registration of voters.' The City of Joplin has a population of approximately 38,000 and is located principally in Jasper County. One voting precinct of Newton County, Stapelton precinct, is located within the city limits of the City of Joplin. Are voters of Stapelton precinct required to register in order to be eligible to vote in primary and general elections?"

It is our opinion that the voters of Stapelton precinct, who have not registered prior to July 1, 1955, are required to register before being eligible to vote in a primary or general election. Section 116.010, 1955 Cum. Supp., RSMo 1949, eliminates the necessity of re-registration for those registered prior to July 1, 1955, unless some other section of Chapter 116 requires it.

You will note that in all of the chapters pertaining to registration, all but Chapter 113 apply to and are directed toward registration in cities. The same was true with Chapters 114 and 115 that have now been repealed. It is believed

Honorable John M. Rice

that the reason for the words "in counties not having a provision for registration" or the words "in any county not having a provision for registration" were inserted because of the fact that Chapter 113 does require county-wide registration.

It is, therefore, felt that such wording was not used for the purpose of requiring registration in only those cities located completely within any one county. Since Joplin is a city now coming within the provisions of Chapter 116 (before the 1955 repeal it came within the provisions of Chapter 115), it seems clear that all of the residents of Joplin are required to register regardless of the county in which such city residents might reside.

For further answer to your specific question attention is invited to Section 116.130, which states: "Any qualified voter who shall appear at the polls to vote at any primary or general election for which registration may be required shall, before procuring a ballot, identify himself \* \* \*."

#### CONCLUSION

We therefore conclude that the residents of Joplin residing in Newton County who have not registered prior to July 1, 1955, are required to register before being eligible to vote in any primary or general election.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Russell S. Noblet.

Very truly yours

John M. Dalton  
Attorney General

RSN:lc