

VOTERS:
REGISTRATION:
ELECTIONS:
LEGISLATION:
RACE, DESIGNATION OF:

House Bill No. 136 (74th General Assembly),
if enacted, would not invalidate presently
valid registrations.

OPINION NO. 195

March 16, 1967

Honorable Don L. Manford
Representative, 18th District
House of Representatives
Jefferson City, Missouri



Dear Representative Manford:

Your letter of recent date requested an opinion on the following question:

". . . If the voter registration affidavit is changed in form, as proposed under HB 136, will this invalidate present registration for voters and require that they again register?"

House Bill 136, 74th General Assembly, in essence, provides for the repealing of Section 117.330, RSMo 1959, and the enactment of one new section, of the same number, in lieu thereof. A reading of House Bill 136, supra, shows that the language of the bill is exactly the same as the statute, with two exceptions.

1. The bill eliminates the necessity for identifying the registering applicant by race in that the "white--colored" classification is deleted.

2. The second difference found in the bill is a rearrangement of sentence structure, lines 50 and 51, using all of the same words as found in the statute and the meaning is unchanged.

The second change noted above has no effect on the question and may be ignored for the purpose of this opinion.

The main question then is whether the deletion of the race identification requirement of Section 117.330, supra, will void previously valid voter registrations. The Constitution of Missouri does not require race identification, and states in Article VIII, Section 5, as follows:

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"Registration of voters may be provided for by law."

In construing the registration statutes the Missouri Supreme Court held in *State v. Brown*, 33 S.W. 2d 104, (1.c. 107):

". . . the sole objective of the statute is to determine the individuals who possess those qualifications and make a public record thereof. . . "

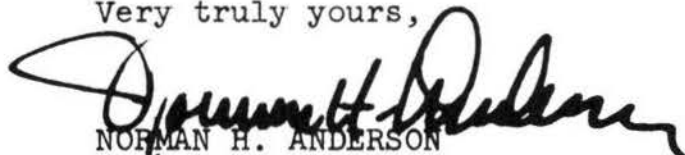
It seems manifestly clear that the deletion of the race identification requirement is a simple change in the form of the registration affidavit and does not in any way affect presently valid registrations.

CONCLUSION

It is therefore the opinion of this office that House Bill 136, 74th General Assembly, if enacted, does not contain any language that would invalidate presently valid voter registrations.

The foregoing opinion, which I hereby approve, was prepared by my Assistant, William A. Peterson.

Very truly yours,



NORMAN H. ANDERSON
Attorney General