

1-2-217.5. Change in residence before close of registration - emergency registration at office of county clerk and recorder. (1) Notwithstanding the provisions of sections 1-2-101 and 1-2-102, an elector may register to vote in an election after the registration books of the county clerk and recorder are closed for that election by completing an emergency registration affidavit as prescribed by the secretary of state if the elector:

(a) Appears in person at the primary office of the county clerk and recorder or at any office or location authorized by the county clerk and recorder and staffed by personnel authorized by the county clerk and recorder; and

(b) Complies with the requirements of section 1-2-204 (1) and (2).

(c) (Deleted by amendment, L. 2003, p. 986, § 1, effective April 17, 2003.)

(2) The elector shall declare under oath in the emergency registration affidavit that the elector wishes to register to vote in the election in the precinct and county for which the registration books are closed and that:

(a) The elector was registered to vote in a different county in this state, moved to the new county of residence prior to the close of the registration books but failed to register with the county clerk and recorder prior to the close of the registration books, and has not and will not cast a vote in the election in the county of previous residence;

(b) The elector applied to register to vote prior to the close of registration by federal postcard application or mail registration application;

(c) The elector applied to register to vote prior to the close of registration in a voter registration drive and is able either to show the receipt from the voter registration application that the elector submitted to the voter registration drive or to provide the location of the voter registration drive and the approximate date of registration; or

(d) The elector applied to register at a voter registration agency designated pursuant to the federal "National Voter Registration Act of 1993", 42 U.S.C. sec. 1973gg, as amended, and is able to provide the name and location of and the approximate date of registration application at the agency.

(3) (Deleted by amendment, L. 2002, p. 1625, § 1, effective June 7, 2002.)

(4) The elector shall subscribe to the oath before an officer authorized by law to administer oaths. Upon completion of the affidavit and the approval and qualification of the elector by the county clerk and recorder or other designated election official, the name of the elector shall be placed in the registration books or added to the list of eligible electors for the election for which the registration books were closed.

(5) An elector changing registration on an election day pursuant to this section may vote in the office of the county clerk and recorder or in the precinct where the new address is located. If the elector's qualification to vote cannot be immediately established at the office of the county clerk and recorder, the elector may vote by provisional ballot.

Source: L. 94: Entire section added, p. 1759, § 18, effective January 1, 1995. L. 95: (2)(a) and (2)(b) amended and (5) added, p. 824, § 15, effective July 1. L. 96: (1)(b) amended, p. 1466, § 1, effective June 1; (2)(b) amended, p. 1737, § 17, effective July 1. L. 2002: (1)(a), (1)(c), IP(2), (3), (4), and (5) amended, p. 1625, § 1, effective June 7. L. 2003: IP(1), (1)(b), (1)(c), IP(2), (2)(a), and (5) amended, p. 986, § 1, effective April 17. L. 2004: (1)(a) and (1)(b) amended, p. 1052, § 3, effective May 21. L. 2005: (1)(a) and (2) amended, p. 1395, § 8, effective June 6; (1)(a) and (2) amended, p. 1430, § 8, effective June 6. L. 2007: (1)(b) and (2) amended, p. 1968, § 5, effective August 3.

1-2-218. Change of name. (1) Any eligible elector who has been registered in a county and who subsequently has had a name change by reason of marriage, divorce, or other legal means may have his or her name changed on the registration book by appearing before the county clerk and recorder by submitting the change on forms prescribed by the secretary of state or in the form of a personal letter at any time during which registration is permitted or on election day by an election judge on forms prescribed by the secretary of state and supplied to each polling place by the county clerk and recorder.

(2) The prescribed form or personal letter for the change shall include the elector's printed former legal name, printed present legal name, birth date, social security number,

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