

**TITLE 21-A: ELECTIONS****CHAPTER 3: VOTER REGISTRATION****SUBCHAPTER 3: REGISTRATION AND ENROLLMENT****ARTICLE 2: ENROLLMENT****§141. Enrollment**

When a person registers, the registrar shall ask whether or not the person wishes to enroll in a political party. If the answer is in the affirmative, the registrar shall ask in which party the person wishes to enroll. If the answer is in the negative, the registrar shall note on the enrollment portion of the application that the person chose not to enroll in a political party. Nothing in this section may be construed to require a person to enroll in a political party.

**1. Influence prohibited.** The registrar may not attempt to influence an applicant in any aspect of the enrollment procedure and may not allow anyone else present to do so.

**§142. Enrollment procedure**

A voter who had initially chosen not to enroll in a particular party may later enroll in a party by filing an application with the registrar personally, by mail or otherwise, at any time, except that on election day a voter must enroll in person.

**1-A. Application.** To enroll in a party, an applicant must complete and sign an approved state voter registration application as provided in section 152 or 154, the national mail voter registration form published by the United States Election Assistance Commission or the federal postcard application published by the United States Department of Defense, Federal Voting Assistance Program.

**2. Party designation.** On receipt of the application, the registrar shall enter the party designation of the applicant into the central voter registration system and file the application.

**3. Length of time in party.** Once a voter has enrolled in a party, the voter must remain in that party for 3 months before the voter can file an application for either a withdrawal or a change in enrollment.

**§143-A. Enrollment on election day**

A voter who is not enrolled in a party may enroll at any election by personally filing the application required by section 142 with the registrar, if the registrar is located at the voting place on election day, or with the election clerk in charge of the incoming voting list, if the registrar is not located at the voting place on election day. The election clerk shall annotate the incoming voting list with the designation of the party selected by the voter and provide the voter with the correct ballots for the new party, if applicable.

**§144. Change of enrollment**

A voter may change the voter's enrollment after 3 months from the date on which the voter enrolled by filing an application with the registrar personally, by mail or otherwise. When a voter files an application to change enrollment on the day of a primary election, the application is deemed received the following business day.

**1. Content of application.** The application must contain the following information: Name of applicant, the date of birth, residence address, name of party in which enrollment is requested, signature of the applicant and the date of application.

**2. Party designation removed.** On receipt of the application, the registrar shall remove the party designation of the applicant from the central voter registration system. The registrar shall indicate in the central voter registration system that the applicant is ineligible to vote at a caucus or primary election for 15 days by designating the party enrollment field with the letter "X." Fifteen days after receiving the application, the registrar shall enroll the applicant in the party requested and enter the new party designation in the party enrollment field.

This subsection does not apply in the case of a voter who changes enrollment under subsection 4.

**3. Restrictions during change of enrollment.** Except as provided in subsection 4, a voter may not vote at a caucus, convention or primary election for 15 days after filing an application to change enrollment. A voter may sign a primary nomination petition during the 15-day period after filing an application to change enrollment, and the voter's signature must be counted as valid, as long as the 15-day period has elapsed by the time the petition is certified pursuant to section 335, subsection 7 and the voter otherwise is qualified to sign a petition for that office. Notwithstanding subsection 4, a voter must file an application to change enrollment prior to January 1st to be eligible to file a petition as a candidate in that election year.

**4. Change of residence.** When a voter changes residence from one municipality to another and establishes a new voting residence there, that voter may enroll in any party and vote at a caucus, convention or primary election, regardless of that voter's previous enrollment.

#### **§145. Withdrawal of enrollment**

A voter may withdraw the voter's enrollment after 3 months from the date on which the voter enrolled by filing a written request with the registrar. When a voter files an application to withdraw enrollment on the day of a primary election, the application is deemed received the following business day.

**1. Candidates for nomination by nomination petition.** If enrolled, candidates for nomination by nomination petition must withdraw their enrollment on or before March 1st of that election year.

**2. Reenrollment after withdrawal.** A voter may not enroll in a different party but may enroll in the same party within 15 days after filing a written request for withdrawal from a party.

## **CHAPTER 5: NOMINATIONS**

### **SUBCHAPTER 1: BY POLITICAL PARTIES**

#### **ARTICLE 4: NOMINATION BY PRIMARY ELECTION**

##### **§340. Notice of parties of qualified primary voters**

**1. Notice to Secretary of State.** No later than February 1st of the election year, each political party eligible to participate in a primary election shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's primary. If no notice is received by that date, only voters enrolled in a political party may vote in that party's primary.

**2. Notice to municipal clerks.** The Secretary of State shall inform all municipal clerks of the qualifications necessary for voters to participate in each party's primary. The clerks shall establish procedures to ensure that all qualified primary voters are offered ballots for each party in which primary election the voters are qualified to vote.

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## CHAPTER 5: NOMINATIONS

### SUBCHAPTER 8: PRESIDENTIAL PRIMARY ELECTIONS

#### **§441. Determination and date of primary; voter eligibility**

**1. Determination of primary.** No later than November 1st of the year prior to a presidential election year, the state committee of each party shall certify whether there is a contest among candidates for nomination as the presidential candidate. Upon receiving the certification from one or more parties, the Secretary of State shall announce the parties that will have a presidential primary election, which must be held on the first Tuesday after the first Monday in March of the presidential election year. [PL 2019, c. 445, §4 (NEW).]

**2. Eligible voter.** No later than December 1st of the year prior to a presidential election year, the state committee of each party shall notify the Secretary of State of the enrollment qualifications, subject to the restrictions in section 144, for voters eligible to vote in that party's presidential primary election. If no notice is received by that date, only voters enrolled in a political party may vote in that party's presidential primary election.