



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

**CRAWFORD C. MARTIN
ATTORNEY GENERAL**

February 4, 1971

Honorable Robert S. Calvert
Comptroller of Public Accounts
Capitol Station
Austin, Texas 78711

Opinion No. M-786

Re: Pay for registration of
voters under 21 years of
age.

Dear Mr. Calvert:

Your request for an opinion asks the following question:

"Your opinion is respectfully requested whether the Comptroller is required to pay a county twenty-five cents (25¢) for the registration of each person under the age of twenty-one (21) years who is not otherwise qualified to register under Article 5.10a of the Election Code."

Article 5.19b, Texas Election Code, provides in part:

"(1) Before April 1 of each year, the registrar shall submit to the Comptroller of Public Accounts a certified statement of the total number of voters registered under Sections 43a and 44a of this Code¹ during the twelve-month period ending January 31 of the year in which the statement is submitted.

"(2) Before June 1 of the year in which the statement is submitted, the Comptroller shall issue a warrant to each county in the

¹Articles 5.11a and 5.12a of the Texas Election Code providing for annual registration of qualified voters.

amount of Twenty-five Cents (25¢) multiplied by the total number of voters registered as shown by the certified statement required by subsection (1) of this Section. However, the Comptroller may, before issuing a warrant, require satisfactory proof of the number of voters registered in the county during the twelve-month period mentioned in subsection (1) of this Section.

.. ."

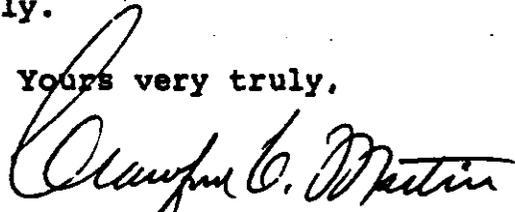
In U. S. v. Arizona, ___U.S.___, 91 S. Ct. 260 (1970), the United States Supreme Court upheld the power of Congress to change the legal voting age to 18 years, applicable only to Federal elections. The legal effect of this decision is to remove from the qualifications for eligible voters in Federal elections only the 21-year age requirement. It is therefore our opinion that a person under the age of 21, who nevertheless is eligible to vote in Federal elections, constitutes a qualified voter who may register for voting in Federal elections and such individuals are to be included in the "total number of voters registered."

You are therefore advised that the Comptroller is required to pay a county 25¢ for the registration of each person under the age of 21 years who has registered for voting in Federal elections only.

S U M M A R Y

The Comptroller is required to pay a county 25¢ for the registration of each person under the age of 21 years who has registered for voting in Federal elections only.

Yours very truly,


CRAWFORD C. MARTIN
Attorney General of Texas

Prepared by John Reeves
Assistant Attorney General

APPROVED:
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