§ 5-308. Enrollment; automatic voter registration. 1. The board of elections shall, promptly and not later than twenty-one days after receipt of a voter registration or pre-registration application submitted pursuant to title nine of this article by a voter registering or pre-registering for the first time, send any such voter who did not enroll in a party a notice and a form to indicate party enrollment. Such notice shall offer the voter the opportunity to enroll with a party or to decline to enroll with a party and contain the following statement in prominent type "ONLY ENROLLED MEMBERS OF A POLITICAL PARTY MAY VOTE IN THAT PARTY'S PRIMARIES." Such form shall provide a clear alternative for the applicant to decline to affiliate with any party.

2. Notwithstanding subdivision two of section 5-304 of this title, if a voter who registered to vote for the first time (or pre-registered) pursuant to title nine of this article responds to the notice required by subdivision one of this section and elects to enroll in a party, such enrollment shall take effect immediately. However, any pre-registrant's registration shall remain classified as "pending" until the voter reaches the age of eligibility.

3. If a voter appears at a primary election and votes by affidavit ballot indicating the intent to enroll in such party, such affidavit ballot shall cause the voter to be enrolled immediately in that party if the board of elections determines that the voter registered (or pre-registered) to vote for the first time pursuant to title nine of this article.

4. If a voter appears at a primary election and votes by affidavit ballot indicating the intent to enroll in such party, such affidavit ballot shall be cast and counted if the board of elections determines that the voter registered (or pre-registered) to vote at least ten days before that primary pursuant to title nine of this article and such voter is otherwise qualified to vote in such election.