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3.1.a. National Voter Registration Act (NRVA) Requirements

The National Voter Registration Act (NVRA) requires that states provide customers the opportunity to register to vote when an application for assistance, recertification form, or a change of address is submitted for a public assistance program such as SNAP, TANF and Medicaid, LIEAP and Child Care Assistance.

The Voter Preference Question “**If you are not registered to vote where you live now, would you like to apply to register to vote here today?**” is included on all DSS application, recertification, and the DSS-EA214 Six Month Report forms. If the customer marks “Yes” to this question or if they leave the question blank, EABS must send a Voter Registration Application to the customer to complete.

For all in-person transactions, DSS will provide the Voter Registration Application during the transaction itself, rather than mailing it to the client following the transaction.

When the customer reports a change of address, a Voter Registration Application is automatically sent to the customer when the address is updated on ACCESS. If a customer reports a change in address, it is important that the address be updated on ACCESS so that this form is automatically sent to the customer.

For changes of address conducted remotely:

- For address changes reported by **telephone**, the employee who speaks with the customer shall inform the customer that they will receive a Voter Registration Application by mail and may seek assistance in completing the Voter Registration Application at any local DSS office.
- For address changes reported by **email**, DSS will promptly email a confirmation notice to the customer notifying them that DSS will mail a Voter Registration Application and that they may seek assistance in completing the Voter Registration Application at any local DSS office.
- For address changes submitted **online**, DSS will promptly notify the customer by email, text message, or other electronic means that DSS will mail a Voter Registration Application and that they may seek assistance in completing the Voter Registration Application at any local DSS office.

To register to vote in South Dakota an individual must:

- a. Be a United States citizen

- b. Reside in South Dakota
- c. Be at least 18 years old on or before the next election
- d. Not currently serving a sentence for a felony conviction which included imprisonment served or suspended, in an adult penitentiary.
- e. Not be judged mentally incompetent by a court of law.

Benefits Specialists may assist an individual complete the voter registration application, however, DSS is prohibited from doing the following:

- a. seeking to influence an applicant's political preference or party registration; or
- b. displaying any political preference or party allegiance; or
- c. taking any action or making any statement to an applicant to discourage the applicant from registering to vote; or
- d. taking any action or making any statement that may lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

DSS will help an individual complete the Voter Registration Application. You must "provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms, unless the applicant refuses such assistance."

[52 U.S.C. § 20506\(a\)\(6\)\(C\)](#)

Completed Voter Registration Applications must be stamp dated with the date it was received in the office.

Completed Voter Registration Applications must be mailed to the county auditor no later than one business day after the office receives it. The original application must be mailed, not emailed, faxed, or scanned; as the county auditor must have the original signature. DSS will record the date each Voter Registration Application was transmitted to the county auditor and the method of delivery (first-class mail, hand delivery, etc.).

34.1 Review Process

SSI CRITERIA

The agency must determine eligibility without requiring information from the individual, if able to do so based upon reliable information contained in the individual's account, case file, or other more current information available to the agency, including but not limited to information accessed through any data sources available to the agency such as SDX, BN XV, DLR, HUBV, and the Work Number.

If the agency can renew eligibility based on such information, the agency must notify the individual of the eligibility determination and basis, and that the individual must inform the agency, through any of the modes permitted for submission of applications (e.g., internet Web site, telephone, mail, in person) if any of the information contained in such notice is inaccurate.

If the recipient is eligible for SSI or 1619b, complete reviews using SDX and other available information. There is no review form mailed for these recipients. It is optional to send an EA-208 Authorization to Release Information form to these individuals at review time; however, it is not required for continued eligibility.

IMPORTANT: The National Voter Registration Act (NVRA) requires that states provide customers the opportunity to register to vote when an administrative review is completed.

All recipients for whom an administrative (SSI) review is conducted must be mailed the voter registration instructions/declination form and South Dakota Voter Registration Form.

If SSI or 1619b payments end prior to the next annual review, redetermine eligibility from SDX at the next annual review. For future reviews, use the [EA-240R](#) or [EA-240S](#) as appropriate.