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3.9 National Voter Registration Act (NVRA) 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.).

8.1.a. Administrative Reviews/Simplified Reviews

Administrative reviews for each month should be started two months prior to the month of the review date listed in the system. A list of review months and the corresponding month administrative reviews should start is provided below. This allows a case to be screened for administrative review eligibility and still have time to be completed as a traditional review if necessary.

Calendar Month	Review Month
January	March
February	April
March	May
April	June
May	July
June	August
July	September
August	October
September	November
October	December
November	January
December	February

Step 1

In the third week of each month a list of reviews should be generated in ACCESS or the SS09. This can be achieved though the following steps:

ACCESS

1. Go to function code REPT, processing mode D, command REVS
2. Select the option FUTR
3. Enter the month and year of reviews needed

SS09

1. SS09 QUE REPT, command REVS

2. Enter the reporting period and use FUTR command.

NOTE: Check both systems for reviews.

Step 2

From the list generated in Step 1, identify MSP only cases for the administrative review process.

Exclude cases that have:

- Self-employment income;
- Income that can't be verified through electronic sources (BNXV, SDX, DLR, etc.);
- Not had a full review in the last three years. For example, a full review occurred in 2020. Another full review requesting verifications of current resources must occur in 2024, at the latest.

Step 3

Use the electronic interface available to the agency to verify the income for any of the MSP only cases identified in Step 1 and 2. The updated income information should be entered into the DSS-EA 271 and an income eligibility determination should be made.

1. For DLR use the most recent information divided by 3.
2. For HUBV and The Work Number use the most recent monthly wages.
3. If an individual had wages last year, but no recent verifications are showing this year, assume no wages.

Step 3.a.

If the recipient is still eligible with no reduction in benefits after making the income determination:

1. Find the copy of the resource page from the prior year's MSP [DSS-EA-271](#) and enter the data into the resource sheet on the 271.
2. Print the copy of the administrative review notice in the 271.
3. Update the completed review date field in the system to the date the determination was made.
4. Schedule the next review for 12 months after the last completion date.
5. Mail voter registration instructions/declination form and South Dakota Voter Registration Form.

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 review is conducted must be mailed the voter registration instructions/declination form and South Dakota Voter Registration Form.