

Section 5531 of the Temporary Assistance for Needy Families Program Manual published 11/1/2022.

5531 Voter Registration

The National Voter Registration Act (NVRA) of 1993 contains provisions which made it easier for individuals to register to vote in all elections. Under this Act, all agencies in a state that provides public assistance are designated as a voter registration agency. The following services must be provided by a voter registration agency:

1. Distribution of voter registration application forms and declination forms to applicants of public assistance;
2. Assistance in completing voter registration application forms unless the applicant refuses such assistance; and
3. Acceptance of completed voter application forms for daily transmittal to the County Auditor's Office to avoid missing deadlines.

The NVRA prohibits any person providing voter registration services from:

1. Seeking to influence an applicant's political preference or party registration;
2. Displaying any political preference or party allegiance;
3. Discouraging registration;
4. Implying in any way that the availability of Agency services or eligibility is dependent upon voter registration; or
5. Disclosing any applicant's voter registration information except as needed for the administration of NVRA or identifying agency's name on the application form.

Agency Responsibilities

Each voter registration agency must provide each customer the opportunity to register to vote or to update a voter registration record by offering the South Dakota Voter Registration Application form and declination form at the time of each:

1. Application or re-application,
2. Recertification, and
3. Report of change of address.

DSS/DLR 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 on the same day they are received 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/DLR 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.).

Training

Local offices must train new or reassigned employees on voter registration during the onboarding process. All staff must be trained regarding NVRA procedures on an annual basis. Training material includes NVRA policy. The training is located at https://stateofsouthdakota.sharepoint.com/sites/SD_DSS_EA and [P:\Division of Economic Assistance](#). Local offices will be required to submit certification of all employees who attended the training to the Assistant Division Director for Economic Assistance within one month of the training.

Benefit Specialist

The EABS will review the customer's response to the **Would you like to register to vote?** question on the EA-DSS-301. If the customer indicates "Yes" or the response is left blank, the EABS will provide the applicant the opportunity to register to vote. The applicant must be verbally asked "Would you like to apply to register to vote here today?"

Customer answers "yes" or the question is left blank to the **Would you like to register to vote?** question on EA-DSS-301.

1. If the customer responds affirmatively, the EABS will provide the customer with a SD Voter Registration form. The SD Voter Registration form can be downloaded from the SD Secretary of State's website: <https://sdsos.gov/elections-voting/voting/register-to-vote> or in the [P:\Division of Economic Assistance](#).
2. The EABS will ask the customer, "Would you like help filling out the voter registration form?" The same level of assistance must be provided for completing the voter registration application as is given in completing DSS forms.
 - a. If the customer responds affirmatively, the EABS will assist the customer with completing the form.
3. The EABS will offer to mail the Voter Registration form, with original signature, to the County Auditor's Office for the customer.
 - a. If the customer provides the completed Voter Registration form with original signature to the EABS, the EABS will give the completed form to the locally designated staff member.
 - b. The customer can decline having DSS mail the form to the County Auditor's Office.

Any customer who contacts the worker to request an application, either in person or by phone or through electronic communication, will be provided a voter registration form.

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.

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 on the same day they are received 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/DLR 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.).

NVRA Reporting on ACCESS

Local offices will be responsible for submitting all voter registration applications with original signatures, to the County Auditor's Office on a daily basis. The Regional Manager will be responsible for designating the local staff member who will receive, and mail completed voter registration forms. The timely delivery of voter registration applications is extremely important to ensure that all individuals are properly registered to vote. When a customer completes the voter registration form, please use the following procedure:

1. The EABS will provide the completed Voter Registration form to the locally designated staff member.
2. The voter registration application will be placed in a secure location. This document contains PII and is confidential and should be kept from public view.
3. The South Dakota voter registration deadline is 15 days prior to the election. Local office staff should be aware of these deadlines and transmit applications as soon as possible when a registration deadline is near.

In order to meet NVRA reporting requirements, special coding in ACCESS must occur. If the customer indicates that they do not want to register to vote or they have left the question blank, update the STAT panel in the period working in with an "N". If they answered YES, update the STAT panel with a "Y".

Example: A customer comes into the DSS office on July 2 to apply for TANF for her grandchildren. On the 301 – Economic Assistance Application, the customer has selected "YES" to the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?" The EABS will provide the customer with the SD Voter Registration form. The EABS will then verbally ask the customer, "Would you like help filling out the voter registration form?" The EABS will assist the customer as necessary with the process. The EABS will then ask the customer, "Would you like our office to mail the Voter Registration form to the County Auditor's Office?". The EABS will assist the customer as necessary. The EABS updates the STAT panel in ACCESS and narrates their actions.

Example: At recertification interview on June 5th for the new certification period beginning in July 2020, a TANF customer wishes to register to vote. The customer checks "yes" on the DSS-EA 301, but does not return a completed SD Voter Registration form. The EABS will mail the SD Voter Registration form to the customer. During the recertification interview, the EABS will ask the customer, "Would like help filling out the voter registration form? We will be happy to assist you". The EABS updates the STAT panel in ACCESS and narrates their actions. The customer returns the completed form with other pending documents. The EABS give the completed form to the locally identified staff member to mail. The EABS narrates their actions.

Example: The customer reports in person to the Employment Specialist on June 27 that the household has moved. The ES sends an Outlook email to the EABS on this reported change. The EABS updates the address panel in ACCESS. The system will generate a report to State Office and a voter registration form is mailed by state office staff to the customer at the new address.

Employment Specialist

The ES will review the customer's response to the **Would you like to register to vote?** question on the EA-DSS-201 when received directly from the customer. If the customer indicates "Yes" or the response is left blank, the ES will provide the applicant the opportunity to register to vote. The applicant must be verbally asked "Would you like to apply to register to vote here today?"

Customer answers "yes" or the question is left blank to the **Would you like to register to vote?** question on EA-DSS-201.

1. If the customer responds affirmatively, the ES will provide the customer with a SD Voter Registration form. The SD Voter Registration form can be downloaded from the SD Secretary of State's website: <https://sdsos.gov/elections-voting/voting/register-to-vote> or in the [P:\Division of Economic Assistance](#).
2. The ES will ask the customer, "Would you like help filling out the voter registration form?" The same level of assistance must be provided for completing the voter registration application as is given in completing DSS forms.
 - a. If the customer responds affirmatively, the ES will assist the customer with completing the form.
3. The ES will offer to mail the Voter Registration form, with original signature, to the County Auditor's Office for the customer.
 - a. If the customer provides the completed Voter Registration form with original signature to the ES, the ES will give the completed form to the locally designated staff member.
 - b. The customer can decline having DSS/DLR mail the form to the County Auditor's Office.

The Employment Specialist works closely with work-eligible customers so they may request assistance with a SD Voter Registration form. Any customer who contacts the worker to request an application, either in person or by phone or through electronic communication, will be provided a voter registration form.

For all in-person transactions, DSS/DLR 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/DLR office.

For address changes reported by email, DSS/DLR will promptly email a confirmation notice to the customer notifying them that DSS/DLR will mail a Voter Registration Application and that they may seek assistance in completing the Voter Registration Application at any local DSS/DLR office.

For address changes submitted online, DSS/DLR will promptly notify the customer by email, text message, or other electronic means that DSS/DLR will mail a Voter Registration Application and that they may seek assistance in completing the Voter Registration Application at any local DSS/DLR office.

DSS/DLR 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.” (52U.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 on the same day they are received 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/DLR 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.).

1550 CURRENT CASE LOCATION OFFICE - RESPONSIBILITY

When the current case location office receives information of the customer's move, staff will be responsible as follows:

Benefits Specialist:

- A. Benefits Specialists may complete the case transfer form (DSS-EA-350) to gather information needed following program guidelines for continued eligibility. Even though completion of the case transfer form is optional, changes still need to be obtained and discussed with the customer (e.g. household composition, residency, shelter, income, etc.).
- B. Within 1 working day, contact the receiving office (supervisor/lead/specialist of the day, etc.) prior to transferring the case. During the contact, an EABS will be identified to receive the transfer. A case transfer cannot be completed without this contact.
- C. Make sure all case documents are scanned into file director prior to completing the transfer on ACCESS/SS09. Within 1 working day after the move is known, complete the residence code on the STAT panel, ADDR, shelter panels, other reported/known change, and narrative. If questionable and verification is required (Eats form, for example), send or give the form to the customer with a request for information form to be returned to the new county office.
Documentation is essential.
- D. Complete the ACCESS transfer or SS09 transfer within 1 working day after the contact is made. Remember the transfer cannot be completed on ACCESS/SS09 until the receiving EABS is notified of the transfer. If the transfer cannot be completed within 1 working day, notify the receiving office EABS why the transfer was not completed and when it is anticipated to be completed.
- E. The new county of residence office will process any changes following normal processing procedures. This includes interviewing, following Voter Registration process, requesting information and renewal and account transfer processing.

When the customer contacts the Employment Specialist to report the move, staff will be responsible as follows:

Employment Specialist:

- A. Discuss with the customer the barriers that may come about with the move, Voter Registration and offer assistance through supportive services if appropriate.
- B. If the customer knows the new mailing address, forward the address to the Benefits Specialist.
- C. Notify the Benefits Specialist immediately following the report of this information to initiate the case transfer process.

Once the customer has had their case transferred to the new Benefits Specialist, the current Employment Specialist will:

- A. Close out any open activity (FACS)
- B. Update and close the FICA
- C. Send Outlook email to the receiving Employment Specialist/Supervisor
- D. Ensure all current time sheets, screening guides, etc. are scanned and File Director county code is updated.
- E. Share important information with the receiving Employment Specialist, such as current non-cooperation, current engagement strategies utilized, or whether the customer has had trouble meeting goals.

1560 NEW COUNTY OF RESIDENCE OFFICE - RESPONSIBILITIES

When the new county of residence office receives information of the customer's move, staff will be responsible as follows:

Benefits Specialist:

- A. Benefits specialists may complete the case transfer form (DSS-EA-350) to gather information needed following program guidelines for continued eligibility. Even though completion of the case transfer form is optional, changes still need to be obtained and discussed with the customer (e.g. household composition, residency, shelter, income, etc.)
- B. Within 1 working day, send e-mail to the sending office's EABS and Supervisor requesting case transfer.
- C. If the case transfer is not completed by the end of the 2nd working day, call the EABS (or Supervisor if EABS is not available). Complete the transfer macro notifying the customer of the case transfer and the contact information for the new EABS.
 - 1. The macro states "Due to your recent move, I have been assigned as your new Benefits Specialist. My contact information is listed on this notice."
- D. The new county of residence office will process any changes following normal processing procedures. This includes interviewing, requesting information and renewal and account transfer processing.

Employment Specialist:

- A. Open new version of FICA for the customer
- B. Schedule an appointment to meet with the customer and update the PRA/Road Map, to reflect the customer's current situation.
- C. Open FACS to reflect TANF Work activities the customer is participating in.

14320 INFORMATION ABOUT THE REPORT FORM (EA-214)

Benefits Specialists will provide the assistance unit an explanation of the requirement to be a six-month reporter and how to complete the report form and the verifications that must be provided with the report form.

Benefits Specialists will also provide assistance in completing and filing the six-month report form to assistance units who indicate the need. The Benefits Specialists will follow the National Voter Registration Act (NVRA) requirements. Refer to Section 5531 for detailed instructions.

Customers will receive the six-month report form (EA-214) in the 6th month of their certification period. Forms are mailed from Pierre around the 12th of the month. Customers must return the completed EA-214 to the office between the 15th and 20th of that month.

If the assistance unit is also a recipient of SNAP, the six-month report will be due during the same time frame for both programs, therefore a six-month report form may be required prior to 6 months if the assistance unit is also a recipient of SNAP.

14440 INTERVIEWS AT RENEWALS

Timely interviews will ensure that the Benefits Specialists have ample time to complete the processing of renewals. Interviews must be scheduled at the beginning of the month to allow for time to complete all the necessary interviews for assistance units that are required to complete a renewal in that month. The Benefits Specialists will follow the National Voter Registration Act (NVRA) requirements. Refer to Section 5531 for detailed instructions.

If a customer missed the first scheduled interview and didn't submit a renewal application (EA-301), no further action has to be taken. It is the customer's responsibility to reapply and failed to do so.

If the renewal application form was submitted, and the customer did not attend the scheduled interview, a notice of missed interview (DSS-EA-333) or ACCESS notice must be sent informing the assistance unit of the missed interview and the responsibility to contact the benefits specialist to re-schedule the interview.

Note: The Benefits Specialist will call the customer at the time of the scheduled interview whether or not the assistance unit submitted the renewal application.