



National Voter Registration Act Training

10/25/22

Voter Registration – State Requirements

Section 7 of the NVRA requires states to provide the opportunity to register to vote when submitting public assistance applications, recertifications, renewals, or changes of address.

This applies to the following programs:

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Medical Assistance Programs
- Low Income Energy Assistance (LIEAP)
- Child Care Assistance (CCA)

Terms and Definitions

NVRA – National Voter Registration Act

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?

Voter Preference Form:

SOUTH DAKOTA AGENCY VOTER REGISTRATION INSTRUCTIONS and
DECLINATION FORM FOR: **SD DEPARTMENT OF SOCIAL SERVICES**
(Public assistance programs to include TANF, SNAP, WIC, etc.)

If you are **not registered to vote where you live now**, would you like to apply to register to vote here today?

Applying to register or declining to register to vote **will not affect the amount of assistance that you will be provided by this agency.**

YES I want to register to vote **NO** I do not want to register to vote

IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME. (Failure to check either box is deemed a declination to register for purposes of receiving assistance in registration but is not deemed a written declination to receive an application. If you do not check either box, you will be provided a voter registration form that you may complete at your convenience.)

Timeframes

NVRA Requirement: Staff must mail completed Voter Registration Applications to the county auditor within 10 days, or within 5 days if the agency receives the form within five days of the last day to register to vote in an election.

DSS/DLR policy: Mail all Voter Registration Applications to the county Auditor **DAILY** to avoid missing any deadlines.

Voter Registration Applications must be date stamped upon receipt in the DSS/DLR office.

DSS/DLR must record the date each applicant's completed Voter Registration Application was transmitted to the county auditor, the county auditor to which it was sent and the method of delivery (first-class mail or hand delivered).

NOTE: An original signature is required by the county auditor – they cannot accept Voter Registration Applications digitally (email, fax, etc). You must send the original with original signature to the auditor.

A list of the county auditors can be found here: <https://vip.sdsos.gov/CountyAuditors.aspx>

South Dakota Eligibility

To register to vote in South Dakota, you must:

- ❖ Be a United States citizen (South Dakota Constitution, Article VII, Section 2)
- ❖ Reside in South Dakota
- ❖ Be at least 18 years old on or before the next election
- ❖ Not currently serving a sentence for a felony conviction which included imprisonment, served or suspended, in an adult penitentiary system
 - ❖ For more information regarding individuals with a felony conviction please see: <https://sdsos.gov/elections-voting/voting/register-to-vote/felony-convictions.aspx>
- ❖ Not be judged mentally incompetent by a court of law

DSS/DLR staff will assist any person interested in registering to vote with completion of the Voter Registration Application. County Officials will determine if the person is eligible to vote.

DSS/DLR Customer Assistance

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))

DSS is prohibited from:

- 1) seeking to influence an applicant's political preference or party registration;
- 2) displaying any political preference or party allegiance;
- 3) taking any action or making any statement to an applicant to discourage the applicant from registering to vote; or
 - *If customers ask if they are eligible to register to vote, advise them DSS/DLR does not make that determination. The county auditor will determine if they are eligible to register to vote when the Voter Registration Application is received. Customers may be referred to the South Dakota Secretary of State website for information regarding eligibility to vote.*
- 4) 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

Written Requirement

The Voter Preference Question must be in writing.

“If you are not registered to vote where you live now, would you like to apply to register to vote here today?”

This requirement is met by asking customers the Voter Preference Question on the DSS application/renewal forms OR by providing the Voter Preference Form to the customer.

Forms

- ❖ The Voter Preference Form will be provided to the household when the Voter Preference Question is NOT asked on the application form.
 - ❖ The hard copy EA 201, EA301, EA240, EA240D, EA270 and Child Care applications include the Voter Preference Question.
 - ❖ The online applications for SNAP, Medical and Child Care Assistance include the Voter Preference Question.
 - ❖ The FSSA and LIEAP applications include Voter Preference Form as an attachment.
 - ❖ The DSS-EA214 (six-month report form) will include the Voter Preference Question

Customer Contact

DSS/DLR must provide a South Dakota Voter Registration Application to all individuals who answer YES to the Voter Preference Question, AND to those who leave the question blank.

When an interview is required, or when a specialist is speaking with an applicant, review the Voter Preference Question.

- ❖ During the interview, if the Voter Preference Question is not answered, ask the applicant if they would like to register to vote today, and complete the question as answered.
- ❖ Customers applying, recertifying or changing their address in-person will be provided the Voter Registration Application DURING the interview if they have answered the Voter Preference Question yes, or have left it blank.

When an interview is not being completed, and the Voter Preference Question is YES or LEFT BLANK, send the South Dakota Voter Registration Application to the individual and document in the narrative.

You must provide the same level of assistance with the voter registration application that you provide with other forms and applications.

- DSS/DLR staff should offer assistance and answer questions about the forms.
- A DSS/DLR employee CANNOT write on a Voter Registration Application.
- When a customer completes the voter registration in the office, show them incomplete areas on the form, but do NOT complete or write on the form for them.
- When a completed form is dropped off or received in the office via mail, the form will be sent to the County Auditor as it was received. The Auditor will inform the customer if there are missing or incomplete items.

Narrative

Voter Registration information must be documented in the narrative for every application and recertification/renewal or when a customer requests assistance outside of the application or renewal timeframes.

Benefits Specialists will document this information application narrative (Other Services and Referrals section is recommended).

Employment Specialists will document the Voter Registration information in the FICA narrative.

Examples:

Voter Registration – Jo Smith declined to register to vote.

Voter Registration – Jo Smith did not answer the Voter Preference Question – Voter Registration Application form mailed to Jo today.

Voter Registration – Jo Smith would like to register to vote – Voter Registration Application form mailed to Jo today.

ACCESS Entry

When the customer indicates they do not want to register to vote, the EABS will update the STAT panel with an "N".

If they answered YES, enter a "Y" on the STAT Panel.

If they leave the question blank, enter an "X" on the STAT panel **pending programming

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07/15/20 08:31                STAT HEADER (STAT.00)                ASPACAD 01
                                WEB ID:
VERIF STATUS  ** 6MO REPORT **  DISASTER  IN  IN APPL  IN
TANF SNP MED  TANF SNP      DUE  STATE    PGM                SUSPEND
Y
VOTER  INTRVW  MIGRANT  TRIBAL TANF  ***** MEDICAL *****
REG    IND      CODE    ELIG   CLO DATE  SPEC ACT  RESD CD
N
***** REPORTED *****
SOURCE  TANF PAR  SPEC ACTION  RESD CD  SNP RES  SQUATTER  RPT PRD
        EXCEPTION TANF   SNP    TANF SNP  VER
***** BUDGETED *****
        TANF PAR  SPEC ACTION  RESD CD  SNP RES  SQUATTER
        EXCEPTION TANF   SNP    TANF SNP  VER
  
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Address Changes

When an individual's address is updated on ACCESS, State Office will mail a Voter Registration Application to the individual at the updated address.

Example: When an EABS updates a recipient's address on Tuesday, a letter with a Voter Registration Application is mailed from State Office on Wednesday.

When a customer requests an address change by telephone, the employee who speaks with the Applicant shall inform the Applicant that the Applicant will receive a Voter Registration Application by mail and may seek assistance in completing the Voter Registration Application at any local DSS office.

When a customer requests an address change by email, DSS will promptly email a confirmation notice to the Applicant notifying the Applicant that DSS will mail the Applicant a Voter Registration Application and that the Applicant may seek assistance in completing the Voter Registration Application at any local DSS office.

When a customer requests an address change submitted online, DSS will promptly notify the Applicant by email, text message, or other electronic means that DSS will mail the Applicant a Voter Registration Application and that the Applicant may seek assistance in completing the Voter Registration Application at any local DSS office.

NVRA Coordinator

The responsibilities of the Statewide NVRA Coordinator include but are not limited to:

- Provides support and guidance to all agencies with regard to NVRA compliance
- Serves as a liaison between state agencies and county officials
- Coordinates and monitors each agency's NVRA compliance including collecting and reviewing voter registration data, investigating and responding to complaints from the public of suspected noncompliance by an agency, and establishing corrective action plans when noncompliance is discovered
- Responds to inquiries from agencies and county auditors
 - Statewide NVRA Coordinator:
Suzanne Wetz
Office of Secretary of State
500 East Capitol Avenue Ste 204
Pierre SD 57501-5070
605-773-3537
 - DSS/DLR NVRA Coordinator:
Julie Miller
Deputy Division Director, Division of Economic Assistance
700 Governors Drive
Pierre SD 57501
605-773-4678

Certificate of Completion

I hereby certify that I received training (10/25/22 version) regarding the National Voter Registration requirements on _____.

Check one:

Initial Training DLR Staff & DSS Employment Specialists

Annual Training

New Employee training – hire date: _____

Printed Name: _____

Title: _____

Location: _____

Signature: _____

Please remit this Certificate of Completion to Julie Miller via email. This may be a physical or digital signature.