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# Minnesota

*Help America Vote Act  
(HAVA) Complaint  
Process Guide*

*Provided by*

VOTER  
REFERENCE   
FOUNDATION

# State Guide to HAVA & Election Complaint Process

This is a guide to your state's laws relating to the Help America Vote Act (HAVA) and other election related complaints.

The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in the individual state guides or the information linked to on the state site.

This guide was last updated on 03/06/2024.

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# **What is the Help America Vote Act (HAVA)?**

[Link to HAVA Statute](#)

[Link to Election Assistance Commission](#)

According to the EAC.gov website:

The Help America Vote Act (HAVA) of 2002 was passed by the United States Congress to make sweeping reforms to the nation's voting process. HAVA addresses improvements to voting systems and voter access that were identified following the 2000 election. HAVA mandates that EAC test and certify voting equipment, maintain the National Voter Registration form and administer a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections.

HAVA creates new mandatory minimum standards for states to follow in several key areas of election administration. The law provides funding to help states meet these new standards, replace voting systems and improve election administration. HAVA also established the Election Assistance Commission (EAC) to assist the states regarding HAVA compliance and to distribute HAVA funds to the states. EAC is also charged with creating voting system guidelines and operating the federal government's first voting system certification program. EAC is also responsible for maintaining the National Voter Registration form, conducting research, and administering a national clearinghouse on elections that includes shared practices, information for voters and other resources to improve elections. HAVA requires that the states implement the following new programs and procedures:

- Provisional Voting
- Voting Information
- Updated and Upgraded Voting Equipment
- Statewide Voter Registration Databases
- Voter Identification Procedures
- Administrative Complaint Procedures

# How do I file a HAVA complaint?

[Link to HAVA Complaint Process](#)

[Link to Form](#)

To file a HAVA complaint with the Office of the Minnesota Secretary of State:

- Complete the [Help America Vote Act \(HAVA\) Complaint Form](#).
- Cite the part of [Help America Vote Act \(HAVA\) Title III](#) (Uniform and Nondiscriminatory Election Technology and Administration Requirements) you believe was violated. Choose from: Section 301 (Voting Machine Standards), 302 (Voting Information Requirements) or 303 (Statewide Voter Registration).
- Have the form notarized (or signed by an election judge at the polling place on Election Day) and return it to the Office of the Minnesota Secretary of State.

# How do I file a non-HAVA election complaint?

[Link to Election Complaint Process](#)

[Link to Form](#)

County attorneys have the legal authority and jurisdiction to investigate possible election law violations. If you believe that election misconduct, discrimination, voter intimidation, or other irregularities have occurred, you can file a complaint with your county attorney's office, which you can find via the [Minnesota County Attorney's Association website](#).

To file a complaint:

- Complete the Minnesota State Election Law Complaint Form.
- Cite the election law you believe was violated. Chapters covered include Minnesota statutes Chapter 200 (General Provisions), Chapter 201 (Registration and Eligibility of Voters), Chapter 203B (Absentee Voting), Chapter 204C (Election Day Activities) and Chapter 206 (Voting Systems).
- Have the form notarized and return it to your county attorney for investigation.

# Who can I contact regarding an election related complaint?

| <b>Office of the Minnesota Secretary of State, Elections Division</b> |  |
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| <b>Physical Address:</b>  | Office of the Minnesota Secretary of State<br>Elections Division<br>180 State Office Building<br>100 Rev. Dr. Martin Luther King, Jr. Blvd.<br>St. Paul, MN 55155-1299 |
| <b>Mailing Address:</b>   | Office of the Minnesota Secretary of State<br>Elections Division<br>100 Rev. Dr. Martin Luther King, Jr. Blvd.<br>St. Paul, MN 55155-1299                              |
| <b>Phone Number:</b>  | 651-215-1440   |
| <b>Email Address:</b>   | <a href="mailto:secretary.state@state.mn.us">secretary.state@state.mn.us</a>   |

[Minnesota County Attorney Offices](#)