
Florida

Help America Vote Act (HAVA) Complaint Process Guide

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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.

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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](#)

The HAVA complaint form is for persons who believe that a violation of Title III of HAVA has occurred, is occurring or is about to occur relating to voting system standards, provisional ballot voting, registration under the statewide voter registration system, or registration by mail.

How do I file a non-HAVA election complaint?

[Link to Election Complaint Process](#)

[Link to Form](#)

In order to file a complaint, you must use the Commission's complaint form, (FEC Form 1).

If you file more than one complaint against the same person, the Commission is barred from investigating the second complaint if it is based upon facts or allegations that were raised or could have been raised in the first complaint. See Section 106.25(2), Florida Statutes, and Rule 2B-1.0025(3), Florida Administrative Code.

Who can I contact regarding an election related complaint?

Department of State, Election Division	
Physical Address:	500 South Bronough Street Tallahassee, FL 32399
Mailing Address:	Florida Department of State Division of Elections Room 316, R.A. Gray Building 500 South Bronough Street Tallahassee, FL 32399-0250
Phone Number:	850-245-6200
Email Address:	DivElections@dos.myflorida.com
Website:	https://dos.fl.gov/elections/contacts/contact-us/

Florida Elections Commission	
Physical Address:	107 West Gaines Street, Suite 224 Tallahassee, FL 32399-1050
Mailing Address:	The Florida Elections Commission 107 West Gaines Street Suite 224, Collins Building Tallahassee, FL 32399-1050
Phone Number:	850-922-4539
Email Address:	fec@myfloridalegal.com
Website:	https://www.fec.state.fl.us/FECWebFi.nsf/pages/Complaints