



# Illinois

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

*Provided by*

VOTER  
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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 Information](#)

[Link to Complaint Process](#)

Any person who believes that a violation of any provision of Title III of the Act has occurred, or is occurring, or is about to occur may file a complaint with the State Board of Elections. If filed after the occurrence of the violation, the complaint must be filed no later than 90 days after the occurrence of the violation or 90 days after the federal election in connection with which the violation occurred, whatever date is later. Any complaint filed under this Section must allege a violation, or threatened violation, of Title III of the Act and state sufficient facts as to constitute a cause of action under Title III. In addition, the complaint must state whether the complainant desires a hearing on the record before the State Board of Elections.

# **How do I file an election related complaint?**

[Link to Election Complaint Process](#)

Persons who wish to file a complaint for a violation of provisions of the Election Code, other than Article 9, may do so by submitting the complaint in writing to the Executive Director. The complaint must be submitted in person or mailed with the United States Postal Service, postage prepaid, to the address listed below. Complaints submitted via email may not be considered.

Complainants alleging election-day violations should be brought to the attention of the Election Authority of the jurisdiction in which the alleged violation occurred (In most jurisdictions, the election authority is the county clerk.). Complaints alleging a criminal violation such as vote fraud, voter intimidation, etc., should be referred to the State's Attorney's office of the county in which the alleged violation occurred, as the State Board of Elections lacks jurisdiction to commence a criminal prosecution.

# Who can I contact regarding an election related complaint?

<b>Illinois State Board of Elections</b>	
<b>Chicago Office:</b>	69 W. Washington St., Suite LLo8 Chicago, IL 60602
<b>Springfield Office:</b>	2329 S. MacArthur Blvd. Springfield, IL 62704
<b>Phone Number:</b>	312-814-6440 (Chicago) 217-782-4141 (Springfield)
<b>Fax Number:</b>	312-814-6485 (Chicago) 217-782-5959 (Springfield)
<b>Email Address:</b>	<a href="mailto:webmaster@elections.il.gov">webmaster@elections.il.gov</a>
<b>Website:</b>	<a href="https://www.elections.il.gov/Main/ContactUs.aspx">https://www.elections.il.gov/Main/ContactUs.aspx</a>
<b>County Clerks:</b>	<a href="https://www.elections.il.gov/ElectionOperations/ElectionAuthorities.aspx">https://www.elections.il.gov/ElectionOperations/ElectionAuthorities.aspx</a>

<b>Office of the Attorney General</b>	
<b>Chicago Office:</b>	115 S. LaSalle St. Chicago, IL 60603
<b>Springfield Office:</b>	500 South Second Street Springfield, IL 62701
<b>Phone Number:</b>	312-814-3000 (Chicago) 217-782-1090 (Springfield)
<b>E-mail:</b>	<a href="https://illinoisattorneygeneral.gov/contact/email-the-office/">https://illinoisattorneygeneral.gov/contact/email-the-office/</a>
<b>Website:</b>	<a href="https://illinoisattorneygeneral.gov/File-A-Complaint/">https://illinoisattorneygeneral.gov/File-A-Complaint/</a>