

---

# Kansas

## *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.

## CONTENTS:

[What is the Help America Vote Act \(HAVA\)?](#)

[How do I file a HAVA complaint?](#)

[How do I file a non-HAVA election complaint?](#)

[Who do I contact regarding election-related complaints?](#)

# **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](#)

## [25-4704. Filing of complaint.](#)

Any person who believes that a violation of any provision of title III is occurring, has occurred, or is about to occur, may file a complaint with the secretary of state.

## [25-4705. Form of complaint.](#)

(a) A complaint shall be made in writing and signed by the complainant under oath before a notary public.

(b) The complaint shall be submitted on a form prescribed by the secretary of state. The complaint form shall be available from the secretary of state or from any county election office.

## [25-4706. Time limits for filing complaints.](#)

(a) A complaint shall be filed with the secretary of state within 30 days after the occurrence of the actions or events that form the basis for the complaint. For violations that are occurring or about to occur that may need immediate remedy, the complaint shall be timely filed to allow for resolution.

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

[Link to Process](#)

[Link to Webform](#)

If you witness suspicious activity related to an election, please report it via the [Report Voter Fraud link](#). Your information will be forwarded directly to the Kansas Secretary of State's Elections Division.

Or call the Voter Fraud hotline at 800-262-8683. An elections investigator may contact you for additional information.

# Who can I contact regarding an election related complaint?

<b>Kansas Secretary of State's Elections Division</b>	
<b>Physical Address:</b>	Memorial Hall, 1st Floor 120 SW 10th Avenue Topeka, KS 66612-1594
<b>Mailing Address:</b>	Elections Division Kansas Secretary of State Memorial Hall, 1st Floor 120 SW 10th Avenue Topeka, KS 66612-1594
<b>Phone Number:</b>	785-296-4561
<b>Fax Number:</b>	785-291-3051
<b>Email Address:</b>	<a href="mailto:election@sos.ks.gov">election@sos.ks.gov</a>
<b>Website:</b>	<a href="https://sos.ks.gov/elections/voterfraud/default.aspx">https://sos.ks.gov/elections/voterfraud/default.aspx</a>
<b>County Election Offices:</b>	<a href="https://sos.ks.gov/elections/county_election_officers.aspx">https://sos.ks.gov/elections/county_election_officers.aspx</a>