
Mississippi

*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.

This guide was last updated on 03/07/2024.

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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 HAVA Complaint Form](#)

Any person who believes there is a HAVA Title III violation (including a violation which has occurred, is occurring or is about to occur) may file a written complaint with the Secretary of State's Office. The complaint must be notarized, signed and sworn to by the complainant.

How do I file a non-HAVA election complaint?

[Link to Statutes](#)

[Link to County Election Commissioners](#)

[§ 23-15-903. Procedure for filing complaint of violation of election law.](#)

In addition to any other procedure provided by law, any person who has reason to believe that any election law has been violated may file a written complaint with the [election commissioners](#) of the county in which the alleged violation occurred. If the election commissioners determine the allegations in the complaint, if true, would be a violation of this chapter or Section 97-13-1, et seq., the election commissioners shall refer the complaint to the district attorney for prosecution.

Who can I contact regarding an election related complaint?

Secretary of State - Elections Division	
Physical Address:	Secretary of State's Office Elections Division 401 Mississippi Street Jackson, MS 39201
Mailing Address:	Secretary of State's Office Elections Division P.O. Box 136 Jackson, MS 39205-0136
Phone Number:	601-576-2550
Fax Number:	601-576-2545
Email Address:	ElectionsAnswers@sos.ms.gov
County Election Commissioners:	https://www.sos.ms.gov/elections-voting/county-election-information