
Nebraska

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

Provided by

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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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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](#)

Any person may file a complaint with the Secretary of State believes that a violation of Title III of the Help America Vote Act or corresponding sections of state statute has occurred, is occurring or is about to occur. Such complaint shall be filed on a form developed by the Secretary of State and shall contain the name, address and phone number of the person making the complaint, the nature of the violation of Title III of the Help America Vote Act or corresponding state statutes, the date of the violation if the violation had previously occurred and other information deemed necessary by the Secretary of State.

How do I file a non-HAVA election complaint?

[Link to Statutes](#)

The Secretary of State's office maintains an Election Integrity Unit, consisting of trained staff members who can take information from voters wishing to report any inappropriate behavior witnessed at a polling place.

[32-1548. County attorney; prosecute violations; suspension of sentence or judgment; when.](#)

Except as provided in subdivision (2) of section 84-205, the county attorney of any county in this state shall prosecute all complaints which may be made of violations of the Election Act to final judgment. The court before which any conviction for such violation shall be had shall not in any case suspend sentence or judgment for more than twenty days, except that no indictment or information for such violation shall be brought to trial unless the complainant, if he or she is found, has had at least two days' notice, in writing, from the county attorney of the day when he or she intends to try the same.

Who can I contact regarding an election related complaint?

Secretary of State' Office - Election Integrity Unit

Physical Address:	301 S. 13th Street, Suite 410 Lincoln, NE 68508
Mailing Address:	P.O. Box 94608 Lincoln, NE 68509-4608
Phone Number:	402-471-2555
Fax Number:	402-471-7834
Email Address:	sos.elect@nebraska.gov
Website:	https://sos.nebraska.gov/elections/elections-division
County Elections:	https://sos.nebraska.gov/elections/election-officials-contact-information

Nebraska Attorney General Office

Physical Address:	2115 State Capitol Lincoln, NE 68509
Mailing Address:	PO Box 98920 Lincoln, NE 68509
Phone Number:	402-471-2683
Fax Number:	402-471-3297
Email Address:	ago.info.help@nebraska.gov
Website:	https://ago.nebraska.gov/contact-us
County Attorneys:	https://necaa.org/county-attorneys/