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# New Jersey

*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 Complaint Process](#)**

Any individual who believes that there is, has been, or will be a violation of any provision of Title III of the Help America Vote Act of 2002 may file a complaint with the Division of Elections in the Department of Law and Public Safety seeking appropriate relief with respect to the violation.

Each such complaint shall be in writing, and shall be notarized, signed, and sworn by the individual filing the complaint. The Attorney General may consolidate all such complaints if the Attorney General deems it appropriate.

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

## **[Link to Voter Registration Complaint Procedure](#)**

Anyone who believes that he or she has been denied the opportunity to register to vote or remain a registered voter by a voter registration agency, or that someone has interfered with their rights to register or decline to register to vote, or choose a political party preference may file a written complaint with the Secretary of State as provided for in N.J.S.A. 19:31-6.11b(5) and 19:31-29. A written complaint may also be filed pursuant to the HAVA Administrative Grievance Procedure which is fully set forth in N.J.S.A. 19:61-6.

Concerns about the election process may be directed to County Election Officials or the Secretary of State office.

If you believe an election crime has been committed, please file a report with law enforcement.

# Who can I contact regarding an election related complaint?

<b>New Jersey Department of Law and Public Safety</b>	
<b>Physical Address:</b>	25 Market Street Trenton, NJ 08625-0081
<b>Mailing Address:</b>	P.O. Box 081 Trenton, NJ 08625-0081
<b>Phone Number:</b>	609-984-5828
<b>Online Contact:</b>	<a href="https://www.njoag.gov/contact/office-of-constituent-services/">https://www.njoag.gov/contact/office-of-constituent-services/</a>

<b>Department of State - Division of Elections</b>	
<b>Physical Address:</b>	225 West State Street, 5th Floor Trenton, NJ 08608
<b>Mailing Address:</b>	NJ Division of Elections P.O Box 304 Trenton, NJ 08625-0304
<b>Phone Number:</b>	609-292-3760
<b>Fax Number:</b>	609-777-1280
<b>Online Contact:</b>	<a href="mailto:nj.elections@sos.nj.gov">nj.elections@sos.nj.gov</a>
<b>County Election Officials:</b>	<a href="https://www.nj.gov/state/elections/vote-county-election-officials.shtml">https://www.nj.gov/state/elections/vote-county-election-officials.shtml</a>