
North Carolina

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.

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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 Form](#)

Any person who believes that there is a violation of any provision of Title III of the Help America Voting Act (HAVA), 52 U.S.C. §§ 21081–21102, may file a complaint. A complaint shall be in writing and notarized, signed and sworn by the complainant. You (the complainant) may use: (1) this form prescribed by the State Board of Elections; or (2) any other document providing the same information required in this Board-prescribed form, if signed and notarized.

A complaint shall be filed within 30 days after the occurrence of the actions or events that form the basis for the complaint, including the actions or events that form the basis for your (complainant's) belief that a violation is about to occur, or, if later, within 30 days after you knew or, with the exercise of reasonable diligence, should have known of those actions or events.

How do I file a non-HAVA election complaint?

[Link to Process](#)

[Link to Form](#)

Members of the public may submit allegations of election law violations or election fraud using the [Election Law Complaint Form](#) (PDF).

Who can I contact regarding an election related complaint?

North Carolina State Board of Elections Investigations Unit	
Physical Address:	430 N. Salisbury St., Third Floor Raleigh, NC 27603
Mailing Address:	North Carolina State Board of Elections Attn: Investigations Unit P.O. Box 27255 Raleigh, NC 27611-7255
Phone Number:	919-814-0700
Fax Number:	919-715-0135
Email Address:	investigations.sboe@ncsbe.gov
Website:	https://www.ncsbe.gov/about-elections/election-security/investigations-division
Complaint Forms:	https://www.ncsbe.gov/about-elections/legal-resources/challenge-protest-appeal-and-complaint-forms
County Boards of Election:	https://vt.ncsbe.gov/BOEInfo/