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# Pennsylvania

## *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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# **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 Complaint Process](#)

[Link to Form](#)

Under section 402(a)(2) of the Help America Vote Act of 2002 (HAVA) (52 U.S.C. § 21112(a)(2)) and section 1206.2(a) of the Pennsylvania Election Code (25 P.S. § 3046.2(a)), any person who believes that a violation of any provision of Title III of HAVA (52 U.S.C. §§ 21081-21102) has occurred, is occurring, or is about to occur, may [file a complaint](#) with the Department of State, Bureau of Elections. Complaints made against a local or county official or employee will be processed and considered by the Department of State under section 1206.2(b) of the Election Code (25 P.S. § 3046.2(b)). Complaints made against the Department of State will be processed and considered by the Commonwealth's Office of General Counsel under section 1206.2(c) of the Election Code (25 P.S. § 3046.2(c)).

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

[Link to Statutes](#)

[Link to Complaint Form](#)

## How do I report an election complaint?

- Report polling place issues to the JUDGE OF ELECTIONS at your polling place before you leave.
- If your issue is not resolved by the Judge of Elections, report the issue to your [COUNTY ELECTION OFFICE](#) by using the [Online Complaint Form](#).
- If you have a more immediate need, please call the voter hotline at 1-877-868-3772.

# Who can I contact regarding an election related complaint?

<b>Secretary of State's Office—Bureau of Elections</b>	
<b>Physical Address:</b>	Department of State Bureau of Elections 201 North Office Building Harrisburg, PA 17120
<b>Mailing Address:</b>	Department of State Bureau of Elections 201 North Office Building Harrisburg, PA 17120
<b>Phone Number:</b>	717-787-5280
<b>Email:</b>	<a href="mailto:RA-Elections@pa.gov">RA-Elections@pa.gov</a>
<b>Website:</b>	<a href="https://www.vote.pa.gov/Your-Rights/Pages/Report-election-complaints.aspx">https://www.vote.pa.gov/Your-Rights/Pages/Report-election-complaints.aspx</a>
<b>County Election Officials:</b>	<a href="https://www.vote.pa.gov/Resources/Pages/Contact-Your-Election-Officials.aspx">https://www.vote.pa.gov/Resources/Pages/Contact-Your-Election-Officials.aspx</a>

<b>Pennsylvania Attorney General</b>	
<b>Physical Address:</b>	16th Floor, Strawberry Square Harrisburg, PA 17120
<b>Mailing Address:</b>	Pennsylvania Office of Attorney General Strawberry Square Harrisburg, PA 17120
<b>Phone Number:</b>	717-787-3391
<b>Fax Number:</b>	717-787-8242
<b>Email Webform:</b>	<a href="https://www.attorneygeneral.gov/contact/">https://www.attorneygeneral.gov/contact/</a>
<b>District Attorneys:</b>	<a href="https://www.pdaa.org/da-directory/">https://www.pdaa.org/da-directory/</a>