


Utah

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 03/11/2024.

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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 Contact Lt. Governor](#)

All administrative complaint proceedings will be designated as informal and conducted in accordance with Utah Code [Title 63-4-2](#) *Administrative Procedures Act*.

A committee will be formed to review the notarized complaints. The committee will consist of two political party representatives, two county clerks (one urban and one rural), the state elections office, and two advocacy representatives (including one from the visually impaired community). After reviewing the complaint, the committee may refer it to mediation or court as necessary.

It is anticipated that most complaints that are received over the [phone or other written complaints will be resolved immediately without using the formal complaint procedure.

How do I file a non-HAVA election complaint?

[Link to Statutes](#)

[Link to Complaint Process](#)

20A-1-803. Verified petition by registered voter

- (1) A registered voter may file a verified petition alleging a violation of any provision of this title [Title 20A Election Code], if the registered voter: (a) has information relating to the alleged violation; (b) the allegation is against a candidate for whom the registered voter had the right to vote, a personal campaign committee of that candidate, or a member of a personal campaign committee of that candidate.
- (2) The registered voter described in Subsection (1) shall file the verified petition with the receiving official.

20A-1-802. Definitions

“Receiving official” means: (a) the lieutenant governor, unless the verified petition described in Section 20A-1-803 alleges a violation by the governor, the lieutenant governor, or an employee of the lieutenant governor’s office; or (b) the attorney general, if the verified petition described in Section 20A-1-803, alleges a violation by the governor, the lieutenant governor, or an employee of the lieutenant governor’s office.

Who can I contact regarding an election related complaint?

Office of the Utah Lieutenant Governor

Physical Address:	Utah State Capitol 350 North State Street, Suite 220 Salt Lake City, UT 84114
Mailing Address:	Office of the Utah Lt. Governor P.O. Box 142325 Salt Lake City, UT 84114
Phone Number:	801-538-1041
E-mail:	elections@utah.gov
E-mail Webform:	https://cs.utah.gov/s/lsgovsubmit
County Election Officials:	https://vote.utah.gov/contact-your-county-election-officials/

Utah Office of the Attorney General

Physical Address:	Utah State Capitol Complex 350 North State Street Suite 230 SLC UT 84114-2320
Mailing Address:	Office of the Attorney General PO Box 142320 SLC UT 84114-2320
Phone Number:	801-366-0260
E-mail:	uag@agutah.gov
Complaint Form:	https://attorneygeneral.utah.gov/contact/complaint-form/