



Virginia

Help America Vote Act (HAVA) Complaint Process Guide

Provided by

VOTER
REFERENCE 
FOUNDATION

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.

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](#)

This complaint form is for complaints alleging violations of Title III of the Help America Vote Act of 2002 (HAVA). Title III deals with voting equipment, accessibility, provisional voting, voting information, the computerized statewide voter list used to create pollbooks, identification requirements for voting in federal elections if registration was by mail, and contents of registration forms. To qualify as a formal complaint under this procedure, this [Complaint Form](#) must be used and notarized prior to submission.

How do I file a non-HAVA election complaint?

[Link to Election Complaint Form](#)

[Link to Statutes](#)

[§ 24.2-1019. Complaints and allegations concerning election law offenses.](#)

Any complaint or allegation concerning unlawful conduct under this title shall be filed with the attorney for the Commonwealth of the county or city in which the alleged violation occurred. In the case of a complaint or allegation concerning the filing of a false statement in a voter registration application, the violation shall be deemed to have occurred in the county or city where the applicant sought to be registered.

Who can I contact regarding an election related complaint?

Deputy Commissioner, Department of Elections	
Physical Address:	Department of Elections 1100 Bank Street, 1st Floor Richmond, VA 23219
Mailing Address:	Deputy Commissioner Department of Elections 1100 Bank Street, 1st Floor Richmond, VA 23219-3642
Phone Number:	804-864-8901
Fax Number:	804-371-0194
E-mail:	info@elections.virginia.gov
Complaint Form:	Online Voter Complaint Form

Office of the Attorney General, Election Integrity Unit	
Physical Address:	202 North Ninth Street Richmond, VA 23219
Mailing Address:	202 North Ninth Street Richmond, VA 23219
Phone Number:	804-786-2071
E-mail:	mailoag@oag.state.va.us
Commonwealth Attorneys:	https://www.cas.state.va.us/attorney-search/