
Wyoming

*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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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 Information](#)

[Link to Form](#)

[This form](#) may be used when any person believes there has been or is about to be a violation of Title III of the Help America Vote Act of 2002, P.L. 107-252. A letter in substantially the same form may be used so long as it is signed, sworn, and notarized. Title III concerns voting system (machine) standards; provisional voting; voter registration, and the registration list requirements. If this form indicates other possible violations, the Complaint may be referred to other authorities. A person with a complaint may also speak or write directly to local election officials.

How do I file a non-HAVA election complaint?

[Link to Statutes](#)

[Link to Complaint Form](#)

[§ 22-26-121. Violations of election code; complaints; investigations and prosecutions.](#)

(a) Except as otherwise provided in this section, any person may file a **written complaint with the secretary of state regarding any violation of the Election Code by any statewide or legislative candidate, committee or organization or any violation of W.S. 22-25-106(d) by a county party central committee.** If the secretary of state finds that the complaint has merit and suspects a violation of the Election Code, he shall refer the complaint to the Wyoming attorney general for investigation and prosecution. The attorney general may prosecute the complaint in the district court for the district in which the violation was alleged to occur or in the district court for Laramie county if the violation is reasonably believed to occur in more than one (1) judicial district.

(b) Except as otherwise provided in this section, any person may file a **written complaint with the county clerk regarding any violation of the Election Code by any county or municipal candidate, committee or organization.** If the county clerk finds that the complaint has merit and suspects a violation of the Election Code, the county clerk shall refer the complaint to the district attorney for the county in which the candidate resides for investigation and prosecution.

(c) **Complaints that the secretary of state violated the Election Code shall be filed with the attorney general** for investigation and prosecution. Complaints that the county clerk violated the Election Code shall be filed with the district attorney for the county for investigation and prosecution.

(e) **A complaint of a violation of W.S. 22-26-102 or 22-26-106 shall be filed with the county clerk for the county in which the elector resides and be investigated by the county sheriff** as provided in those sections. If the county clerk or other appropriate official specified in W.S. 22-26-102(e) or 22-26-106(e) fails or refuses for any reason to take action on the elector's complaint, the elector may file a complaint with the Wyoming attorney general.

Who can I contact regarding an election related complaint?

Wyoming Secretary of State, Elections Division	
Physical Address:	Election Division Herschler Building East 122 West 25th Street, Suite 100 Cheyenne, WY 82002-0020
Mailing Address:	Wyoming Secretary of State, Election Division Herschler Building East 122 West 25th Street, Suite 100 Cheyenne, WY 82002-0020
Phone Number:	307-777-5860
E-mail:	Elections@wyo.gov
Website:	https://sos.wyo.gov/Elections/Default.aspx
County Clerks:	https://sos.wyo.gov/Elections/Docs/WYCountyClerks.pdf

Wyoming Attorney General	
Physical Address:	109 State Capitol Cheyenne, WY 82022
Mailing Address:	109 State Capitol Cheyenne, WY 82022
Phone Number:	307-777-7841
Fax Number:	307-777-6869
Webform Contact:	https://ag.wyo.gov/contact-us
Sheriff's Offices:	https://wyomingdci.wyo.gov/dci-homepage/wyoming-sheriffs-offices