



# Colorado

*Help America Vote Act  
(HAVA) Complaint  
Process Guide*

*Provided by*



**Disclaimer:** 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 this guide or the information linked to on the state site.

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## What is the Help America Vote Act (HAVA)?

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According to the [Election Assistance Commission](#):

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?

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[Link to HAVA Complaint Process](#)

[Link to HAVA Complaint Form](#)

The Secretary of State has sole jurisdiction to adjudicate alleged violations of Title III of the Help America Vote Act of 2002 (HAVA). [Section 1-1.5-105, C.R.S.] Any person who believes a violation of Title III of HAVA that has occurred, is occurring, or that is about to occur, may file a complaint. In order to initiate the complaint process, you must file a sworn, written, signed and notarized complaint with the Secretary of State no later than one year from the date of either the occurrence of the alleged violation or of the election giving rise to the complaint, whichever is later. The complaint must allege the violation with particularity, contain a reference to the section of HAVA alleged to have been violated, and name the person or entity responsible for the violation. This complaint will be investigated and adjudicated without a hearing unless you request one on this form. You may always withdraw your request for a hearing at a later time. The Secretary of State has independent authority to inspect and review the practices and procedures of county clerk and recorders, their employees, and other election officials in the conduct of primary, general, and congressional vacancy elections and the registration of electors in this state, with or without the filing of a complaint by any person. [Section 1-1-107(2)(b), C.R.S.]

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

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[Link to non-HAVA Complaint Process](#)

[Link to non-HAVA Complaint Form](#)

The Secretary of State has independent authority to inspect and review the practices and procedures of county clerk and recorders, their employees, and other election officials in the conduct of primary, general, and congressional vacancy elections and the registration of electors in this state, with or without the filing of a complaint by any person. [Section 1-1-107(2)(b), C.R.S.]

## Who can I contact regarding an election related complaint?

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### **Secretary of State, Division of Elections**

**Physical/Mailing Address:**

Elections Division  
1700 Broadway, Suite 550  
Denver, CO 80290

**Phone Number:**

303-894-2200

**Email Address:**

[elections@coloradosos.gov](mailto:elections@coloradosos.gov)

**Website:**

<https://www.coloradosos.gov/pubs/elections/>

### **Office of the Attorney General**

**Physical/Mailing Address:**

Ralph L. Carr Judicial Building  
1300 Broadway, 10th Floor  
Denver, CO 80203

**Phone Number:**

720-508-6000

**Email Address:**

<https://coag.gov/contact-us>

**Online Address:**

<https://coag.gov/>