Georgia

Help America Vote Act (HAVA) Complaint Process Guide

Provided by

VOTER REFERENCE FOUNDATION

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)?

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?

Link to HAVA Complaint Process
Link to HAVA Complaint Form

Rule 590-8-2-.01 Administrative Complaint Procedure for Violations of Title III of the Help America Vote Act of 2002

(1) Any person who believes that a violation of any provision of Title III of the Help America Vote Act of 2002 (Public Law 107-8209;252; 42 U.S.C. 15301, et seq.) has occurred, is occurring, or is about to occur may file a complaint with the Secretary of State. Such complaint shall be open to inspection by the public during business hours upon reasonable notice.

(2) Such complaint shall be in writing and shall be signed and sworn to by the person making the complaint and shall be properly notarized in accordance with state law. The complaint shall be delivered to and served upon the Secretary of State as the chief state election official in person, by U.S. Mail, or by guaranteed overnight delivery.

How do I file a non-HAVA election complaint?

Link to non-HAVA Complaint Process
Link to non-HAVA Complaint Webform

The Georgia Secretary of State's office is charged with administering elections and investigating allegations of election and voter fraud.

Who can I contact regarding an election related complaint?

Secretary of State, Elections Security

Physical/Mailing Address:
2 MLK Jr. Drive
Suite 802 Floyd West Tower
Atlanta, GA 30334

Phone Number:
404-656-2871

Email Webform:
https://sos.ga.gov/form/stop-voter-fraud

Website:
https://sos.ga.gov/page/elections-security#Report%20Voter%20Fraud