

Iowa

*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)?

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](#)

The Chief State Election Official, acting in the capacity of state commissioner of elections, has enacted administrative rules establishing a statewide complaint system to receive and process complaints regarding alleged violations of the requirements contained in Title III of the Help America Vote Act, HAVA sections 301 through 305.

Any person who believes that there is a violation of any provision of Title III, including a violation which has occurred, is occurring, or is about to occur, by any state or local election official, may file a complaint with the state commissioner. All complaints shall be in writing, signed and notarized, and be sworn under oath. Each complaint must identify the complainant by name and mailing address, and include a clear and concise description of the alleged violation that is sufficiently detailed — including the name and address of each respondent, if known — to inform both the respondent and the presiding officer of the nature of the alleged violation.

How do I file a non-HAVA election complaint?

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

[39A.7 Election misconduct — investigation.](#)

1. The attorney general or county attorney shall investigate allegations of election misconduct reported to the attorney general or county attorney. Election misconduct by an election official shall also be investigated for prosecution under chapter 721.
2. Upon the completion of an investigation required by this section, the attorney general or county attorney shall submit the results of the investigation to the state commissioner and explain whether the attorney general or county attorney will pursue charges.

Who can I contact regarding an election related complaint?

Secretary of State, Elections Division

Physical/Mailing Address:

Elections Division
321 East 12th Street
Des Moines, IA 50319

Phone Number:

515-281-0145

Email Address:

sos@sos.iowa.gov

Website:

<https://sos.iowa.gov/elections-voting>

Office of the Attorney General

Physical/Mailing Address:

Office of the Attorney General
1305 East Walnut Street
Des Moines, IA 50319

Phone Number:

515-281-5164

Email Address:

webteam@ag.iowa.gov

Online Address:

<https://www.iowaattorneygeneral.gov/election-fraud-and-misconduct>