

# Michigan

*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)?

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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](#)

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A person who believes that an election authority has violated or will violate a provision of Title III of the Help America Vote Act (42 U.S.C. 15512) that concerns an election for federal office may file a complaint with the Michigan Department of State's Bureau of Elections.

A complaint filed under these guidelines shall be in writing, notarized, signed and sworn by the person filing the complaint. The complaint shall allege, with specificity, the following:

- a) The election authority that has violated Title III
- b) The Title III provision the election authority violated
- c) An explanation of how the election authority named in (III)(2)(a) violated the Title III provision listed in (III)(2)(b)
- d) A statement that the complainant either witnessed or possesses first-hand knowledge of the conduct alleged in (III)(2)(c)

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

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### [Link to Election Crimes Manual](#)

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County prosecuting attorneys and law enforcement agencies have a statutory duty to investigate alleged criminal violations of Michigan election law. Every prosecuting attorney, upon receipt of credible information that any such offense has been committed, has the duty to prosecute the offender. [Link to Prosecutor Directory](#)

Questions or concerns may be addressed by calling the Bureau of Elections during business hours at (517) 335-3234.

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

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### **Secretary of State, Bureau of Elections**

**Physical Address:**

Bureau of Elections  
430 West Allegan Street  
Lansing, MI 48918

**Mailing Address:**

Bureau of Elections  
P.O. Box 20126  
Lansing, MI 48901-0726

**Phone Number:**

517-335-3234

**Email Address:**

[Elections@michigan.gov](mailto:Elections@michigan.gov)

**Website:**

<https://www.michigan.gov/sos/elections/disclosure/cfr/complaints>