



Montana

*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.

This guide was last updated on 03/01/2026.

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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](#)

If you believe that a violation of Title III of the Help America Vote Act of 2002 is occurring, or is about to occur, please state the specific acts committed by the person or entity named in this complaint, along with a reference to the section of HAVA alleged to have been violated.

The [completed form](#) should be notarized and returned to the Secretary of State Office.

How do I file a non-HAVA election complaint?

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

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

The following methods are available for reporting a potential election law violation:

- Contact a member of the SOS elections staff at (406) 444-9608.
- Fill out and complete a report of the activity you witnessed using the [prescribed form](#) and submit it to the Secretary of State's Office using one of the following contact methods.
 - Mail To:
Secretary of State
Fair Elections Center
P.O. Box 202801
Helena, Montana 59620-2801
 - Fax: (406) 444-2023
 - Email: fairelections@mt.gov

Who can I contact regarding an election related complaint?

Secretary of State, Elections Division

Physical Address:

State Capitol, Room 260
1301 6th Avenue
Helena, MT 59602

Mailing Address:

Fair Elections Center
P.O. Box 202801
Helena, MT 59620-2801

Phone Number:

406-444-9608

Email Address:

fairelections@mt.gov

Website:

<https://sosmt.gov/elections/fairelections/>