



New Jersey

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

Provided by

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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](#)

Any individual who believes that there is, has been, or will be a violation of any provision of Title III of the Help America Vote Act of 2002 may file a complaint with the Division of Elections in the Department of Law and Public Safety seeking appropriate relief with respect to the violation.

Each such complaint shall be in writing, and shall be notarized, signed, and sworn by the individual filing the complaint. The Attorney General may consolidate all such complaints if the Attorney General deems it appropriate.

How do I file a non-HAVA election complaint?

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

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

Any person(s) may request that the Commission undertake an investigation by submitting a Confidential Request for Investigation Form (hereafter, RFI Form) setting forth an allegation or allegations that constitute potential violations of the Campaign Reporting Act, the Lobbying Act, the Personal Financial Disclosure Act, or the Uniform Recall Election Law. The information contained in the RFI Form should be as specific as possible, identifying the name of the subject candidate and/or entity, the election and/or calendar year, and as much detail and support for the allegation(s) as is known.

Who can I contact regarding an election related complaint?

Secretary of State, Elections Division

Physical Address:

Division of Elections
225 West State Street, 5th Floor
Trenton, NJ 08608

Mailing Address:

Division of Elections
P.O. Box 304
Trenton, NJ 08625-0304

Phone Number:

609-292-3760

Email Address:

nj.elections@sos.nj.gov

Website:

<https://www.nj.gov/state/elections/vote.shtml>

New Jersey Election Law Enforcement Commission

Physical Address:

NJ Election Law Enforcement Comm.
25 South Stockton Street, 5th Floor
Trenton, NJ 80608

Mailing Address:

NJ Election Law Enforcement Comm.
P.O. Box 185
Trenton, NJ 80625

Phone Number:

609-292-8700

Email Address:

RFI@elec.nj.gov

Online Address:

<https://www.elec.nj.gov/legalresources/resourceinvest.htm>