

# North Dakota

*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 Form](#)

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According to Title IV of the Help America Vote Act (HAVA), all states are required to provide a uniform and nondiscriminatory administrative process for filing a complaint related to any violation of Title III of HAVA such as denial of or difficulty casting a ballot for a federal election, including access to a polling place, information available in accessible formats, and independent and secret access to the ballot for persons with a full range of disabilities. If you wish to file a complaint, you are encouraged to fill out this complaint form, have it notarized, and submit your complaint to the North Dakota Secretary of State. The Secretary of State has 90 days from the date of submission to determine a complaint, unless you agree to a longer period of time. North Dakota has implemented this provision in N.D.C.C. § 16.1-01-16.

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

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

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Report illegal or fraudulent activity to an election officer or to the Secretary of State's Office. The Attorney General does not initiate investigations at the request of members of the public.

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

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### **Secretary of State, Elections Division**

**Physical/Mailing Address:**

Elections Division  
600 East Boulevard Avenue, Dept 108  
Bismarck, ND 58505-0500

**Phone Number:**

701-328-4146

**Email Address:**

[soselect@nd.gov](mailto:soselect@nd.gov)

**Website:**

<https://sos.nd.gov/office-secretary-state/contact-us/office-contact-information.html>