

Oklahoma

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

Provided by

VOTER
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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 \(Administrative Rules\)](#)

230:35-9-22. Complaints

Any person who believes that a violation of Title III of HAVA has occurred, is occurring, or is about to occur, may file a complaint with the Secretary of the State Election Board. Any such complaint shall be in writing, shall be notarized, and shall be signed and sworn by the complainant. A complaint shall include at least the following information.

- (1) Complainant's name and mailing address
- (2) The nature of the complaint and specific facts describing the alleged violation
- (3) The specific citation of Title III of HAVA under which the complaint is being brought
- (4) A request for a hearing on the record, if desired (A hearing shall be required only if requested in the complaint, and only if the complaint includes allegations that, if true would constitute a bona fide violation of Title III of HAVA), and
- (5) Any additional information pertinent to the complaint, including the nature of the solution sought.

How do I file a non-HAVA election complaint?

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

[Section 16-123- Documentation of Possible Voter Registration or Voting Crimes](#)

A. The Secretary of the State Election Board or any county election board who has documents that appear to be evidence of voter registration or voting crimes shall notify the district attorney for the county or counties involved.

B. When presented with documentation of possible voter registration or voting crimes by the Secretary of the State Election Board or any county election board, a district attorney shall investigate and, within thirty (30) days and each thirty (30) days thereafter following receipt of such documentation, report in writing to the Secretary of the State Election Board or county election board the status of the investigation until charges are filed or the district attorney declines to file charges.

Who can I contact regarding an election related complaint?

Oklahoma State Election Board

Physical Address:

State Election Board
2300 North Lincoln Blvd, Room G28
Oklahoma City, OK 73105

Mailing Address:

State Election Board
P.O. Box 53156
Oklahoma City, OK 73152-3156

Phone Number:

405-521-2391

Email Address:

info@elections.ok.gov

Website:

<https://oklahoma.gov/elections/about-us/contact-us.html>