



Oregon

*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](#)

[Link to HAVA Complaint Form](#)

State and county elections officials are encouraged to resolve HAVA complaints informally if possible. If informal resolution is not possible, and a person wishes to file a formal HAVA complaint under this procedure, the person shall use the HAVA complaint form (SEL 820).

The complaint will be accepted and processed only if made in writing, signed under oath by the person filing the complaint, and notarized. The complaint form must be filed directly with the Secretary of State, Elections Division.

If the complaint is submitted to a county elections office, the county elections official shall promptly forward the original complaint to the Elections Division. The complaint shall be considered filed on the day it is received at the office of the Elections Division.

How do I file a non-HAVA election complaint?

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

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

The Secretary of State, Elections Division, is responsible for enforcing state election laws and rules. If you believe a violation of Oregon election law has occurred, you may want to file a formal investigation request with the Elections Division.

Anyone registered to vote in Oregon may file a formal investigation request. Anonymous requests will not be investigated. Many requests are subject to disclosure under public records laws. If the Elections Division receives an investigation request against a named person(s) and the Division determines there is sufficient evidence to open an investigation, we are required by law to inform the person(s) of the request.

Who can I contact regarding an election related complaint?

Secretary of State, Elections Division

Physical Address:

Public Service Building Suite 126
255 Capitol Street NE
Salem, OR 97310

Mailing Address:

Division of Elections
255 Capitol Street NE
Salem, OR 97310

Phone Number:

503-986-1518

Email Address:

elections.sos@oregon.gov

Website:

<https://sos.oregon.gov/elections/Pages/election-law-violation.aspx>