

Virginia

*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](#)

[Link to HAVA Complaint Form](#)

This complaint form is for complaints alleging violations of Title III of the Help America Vote Act of 2002 (HAVA). Title III deals with voting equipment, accessibility, provisional voting, voting information, the computerized statewide voter list used to create pollbooks, identification requirements for voting in federal elections if registration was by mail, and contents of registration forms. To qualify as a formal complaint under this procedure, this [Complaint Form](#) must be used and notarized prior to submission.

How do I file a non-HAVA election complaint?

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

[§ 24.2-1019. Complaints and allegations concerning election law offenses.](#)

Any complaint or allegation concerning unlawful conduct under this title shall be filed with the attorney for the Commonwealth of the county or city in which the alleged violation occurred. In the case of a complaint or allegation concerning the filing of a false statement in a voter registration application, the violation shall be deemed to have occurred in the county or city where the applicant sought to be registered.

Who can I contact regarding an election related complaint?

Deputy Commissioner, Department of Elections

Physical/Mailing Address:

Department of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219-3642

Phone Number:

804-864-8901

Email Address:

info@elections.virginia.gov

Website:

<https://www.elections.virginia.gov/contact-us/>

Office of the Attorney General, Election Integrity Unit

Physical/Mailing Address:

Election Integrity Unit
202 North Ninth Street
Richmond, VA 23219

Phone Number:

804-786-2071

Email Address:

mailoag@oag.state.va.us

Online Address:

<https://www.oag.state.va.us/>