

Wisconsin

*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.

This guide was last updated on 03/01/2026.

Table of Contents:

[What is the Help America Vote Act \(HAVA\)?](#)

[How do I file a HAVA complaint?](#)

[How do I file a non-HAVA election complaint?](#)

[Who do I contact regarding election related complaints?](#)

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](#)

5.061 Compliance with federal Help America Vote Act.

(1) Whenever any person believes that a violation of Title III of P.L. 107-252 has occurred, is occurring, or is proposed to occur with respect to an election for national office in this state, that person may file a written, verified complaint with the commission.

How do I file a non-HAVA election complaint?

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

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

Any person may file an official sworn complaint alleging a violation of Wis. Stat. chs. 5 to 10 or 12 under Wis. Stat. § 5.05. The complaint should include the specific statute(s) you believe has been violated. Complaints based on word of mouth, social media postings, or other third-party accounts are often difficult to investigate and determine if they are legitimate. Eyewitness accounts or paper/electronic documents generally yield the best results. When filling out the complaint make sure to include all relevant information and supporting documents.

If you are unsure if what you witnessed falls under these categories please contact the Commission by phone or email to help determine if what you witnessed may have been a violation of election law before submitting an official complaint.

All sworn complaints submitted to the Wisconsin Elections Commission must be notarized.

Who can I contact regarding an election related complaint?

Wisconsin Elections Commission

Physical Address:

Wisconsin Elections Commission
201 West Washington Ave, 2nd Floor
Madison, WI 53703

Mailing Address:

Wisconsin Elections Commission
P.O. Box 7984
Madison, WI 53707-7984

Phone Number:

608-261-7984

Email Address:

ELECTIONS@WI.GOV

Website:

<https://elections.wi.gov/filing-sworn-complaint>