The State of Texas

Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Phil Wilson
Secretary of State

For Office Use Only

Complaint #

_____-____-____-_____

Date of Filing

ADMINISTRATIVE COMPLAINT

For Alleged Violation of Title III of the
Help America Vote Act of 2002
(42 U.S.C. § 155.12)

Pursuant to Section 31.010(b) of the Texas Election Code, the Secretary of State has sole jurisdiction to adjudicate alleged violations of Title III of the Help America Vote Act of 2002 (HAVA). 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. In order to initiate the complaint process, a sworn, written, signed and notarized complaint must be filed with the Secretary of State. The complaint must allege the violation with particularity, contain a reference to the section of HAVA alleged to have been violated, and identify the person or entity responsible for the alleged violation.

Administrative Complaint Procedure

Once a complaint is received, an employee of the Secretary of State will review it to determine if it (1) meets the requirements as to form and content and (2) identifies a violation of Title III of HAVA. We will also review the complaint to determine whether it alleges a Title III violation that falls within the direct authority of this office or within the authority of another jurisdiction, such as a county. If the complaint does not meet the requirements as to form and content, we will return it to you with an explanation as to its insufficiency. If the complaint meets the requirements, we will assign it a unique number and receipt date. We will mail you a notice that the complaint has been accepted. We will also mail the notice to all other concerned parties. We will make an initial determination of whether a Title III violation has occurred within 60 days after receiving the complaint. We will make a final determination of whether a violation occurred within 90 days after receiving the complaint. You have the right to request a hearing as part of this process. Hearings will be held at our offices in Austin, Texas. If we fail to make a final determination within 90 days after the original receipt of the complaint (or an extended period if we (1) determine that more time is required to resolve the issue and (2) you agree to the extension), you have the right to request resolution of the complaint under an alternative dispute resolution process as agreed upon by you, the Secretary of State, and the other parties to the dispute.

☛ **Do not detach this page. Complaint document will be numbered & dated in the upper right corner of <u>this page</u> when filed with this office.**

PERSON BRINGING COMPLAINT

Name _____ Home Phone _____ Work Phone _____
Address _____ County _____
City _____ State _____ Zip Code _____

PERSON OR ENTITY AGAINST WHOM COMPLAINT IS BROUGHT (limit one person/entity per form)

Name _____ Home Phone _____ Work Phone _____
Address _____ County _____
City _____ State _____ Zip Code _____

VIOLATION

If you believe that a violation of Title III of the Help America Vote Act of 2002 has occurred, is occurring or is about to occur, please state in the "Statement of Facts" section below the specific acts committed by the person or entity named in this complaint, along with a reference to the section of HAVA alleged to have been violated. If you need more space, please attach a separate sheet.

Violations of Title III of HAVA include, but are not limited to:

(1) failure to comply with federal voting system standards, which includes standards for accessibility for individuals with disabilities and alternate language accessibility [Section 301];

(2) failure to comply with provisional voting procedures [Section 302];

(3) failure to create and maintain statewide voter registration system [Section 303]; and

(4) failure to post required voter information at the polling place [Section 302(b)].

STATEMENT OF FACTS

State in your own words the detailed facts and circumstances that form the basis of your complaint, including any relevant person(s). In your narrative explanation, please include relevant dates and times and the names and addresses of other persons whom you believe have knowledge of the facts. Also, give any reasons that you feel the alleged violation was committed by the person and/or entity against whom this complaint is brought.

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STATEMENT OF FACTS (continued)

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Check here if additional pages are attached ☐

State of Texas
County of _____

I, the undersigned, under penalty of perjury do swear or affirm that the information contained in this complaint is true and correct to the best of my knowledge.

_____
Signature of Complainant

Sworn to and subscribed before me this _____ day of _____, 20_____.

_____
Signature of Officer Authorized to Administer Oaths or Notary Public

_____
(Print, Type, or Stamp Commissioned Name of Notary Public)

My Commission Expires:

_____

NOTICE: This complaint is not confidential and, once filed with the Texas Secretary of State, will be treated as a public record.