

721—25.1(17A,39A,47) General provisions.

25.1(1) *Scope of jurisdiction.* The administrative complaint procedure set forth in this chapter is established to comply with Title IV, Section 402, of the Help America Vote Act of 2002, Public Law 107-252, 42 U.S.C. 15512. The procedure is available to any person who believes that a violation of any provision of Title III of the Help America Vote Act of 2002, Public Law 107-252, 42 U.S.C. 15481-15485, has occurred, is occurring, or is about to occur in connection with a federal election.

25.1(2) *Timely resolution.* A final determination with respect to a complaint shall be issued within 90 days of the date the complaint is filed with the state commissioner of elections, unless the complainant consents to a longer period for making such determination. If a determination is not issued within this 90-day period and the complainant does not agree to allow a longer period for making the determination, the complaint shall be resolved within 60 days pursuant to the alternate dispute resolution procedure established in rule 721—25.34(17A).

25.1(3) *Definitions.* For purposes of this chapter, the following terms shall have the following meanings:

“*Complainant*” means the person who files a complaint under this chapter.

“*Federal election*” means a primary or general election at which a federal office appears on the ballot.

“*Party*” means the complainant, respondent, and any other person or persons allowed by the presiding officer to intervene in pending complaint proceedings.

“*Presiding officer*” means the state commissioner of elections or an alternate decision maker designated pursuant to rule 721—25.7(17A,39A,47).

“*Respondent*” means any state or local election official whose actions are asserted, in a complaint under this chapter, to be in violation of Title III.

“*State or local election official*” means the state commissioner of elections, any county commissioner of elections, or any person employed or appointed by either the state commissioner of elections or a county commissioner of elections whose responsibilities include or directly relate to the administration of any federal election.

“*Title III*” means Title III of the Help America Vote Act of 2002, Public Law 107-252, codified at 42 United States Code 15481-15485.