

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H4/6/21
A Bill

SENATE BILL 549

By: Senator A. Clark
By: Representative Hawks

For An Act To Be Entitled

AN ACT TO AMEND ELECTION LAW; TO AMEND THE LAW
CONCERNING PROVISIONAL BALLOTS AND REJECTED BALLOTS;
TO REQUIRE PROVISIONAL BALLOT AND REJECTED BALLOT
REPORTS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ELECTION LAW; TO AMEND THE LAW
CONCERNING PROVISIONAL BALLOTS AND
REJECTED BALLOTS; AND TO REQUIRE
PROVISIONAL BALLOT AND REJECTED BALLOT
REPORTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 7, Chapter 5, Subchapter 9, is amended to add an additional section to read as follows:

7-5-906. Provisional and rejected ballot reporting.

(a) A county board of election commissioners shall prepare a report of provisional and rejected ballots cast in the county for each election.

(b) The report of provisional and rejected ballots cast for each election shall include:

(1) The total number of:

(A) Provisional ballots;

(B) Absentee provisional ballots;

(C) In-person provisional ballots cast during early

voting;



(D) In-person provisional ballots cast on election day;
and

(E) Rejected ballots;
(2) The reason each ballot was rejected or provisional;
(3) The number of provisional ballots counted in the election results;

(4) The total number of provisional ballots not counted in the election, including:

(A) The total number of provisional ballots not counted by the reason it was not counted; and

(B) The total number of provisional ballots not counted by the method the provisional ballot was cast, including if the provisional ballot was:

- (i) An absentee ballot;
- (ii) Cast during early voting; or
- (iii) Cast on election day.

(5) The total number of rejected ballots other than provisional ballots, including:

(A) The total number of rejected ballots by the reason it was rejected; and

(B) The total number of rejected ballots by the method the rejected ballot was cast, including if the rejected ballot was:

- (i) An absentee ballot;
- (ii) Cast during early voting; or
- (iii) Cast on election day; and

(c) The report of provisional ballots and rejected ballots cast for each election shall be submitted by the county board of election commissioners to the *State Board of Election Commissioners* within thirty (30) days of every election.

(d) The county board of election commissioners may, by agreement with the county clerk, transmit the report of provisional and rejected ballots to the county clerk who shall transmit the information to the *State Board of Election Commissioners*.

(e) Within sixty (60) days of each election, the *State Board of Election Commissioners* shall:

- (1) Compile information reported by the county boards of

election commissioners under this section; and
(2) Make the reports publicly available.

/s/A. Clark