

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: H4/6/21

# A Bill

SENATE BILL 549

5 By: Senator A. Clark  
6 By: Representative Hawks  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ELECTION LAW; TO AMEND THE LAW  
10 CONCERNING PROVISIONAL BALLOTS AND REJECTED BALLOTS;  
11 TO REQUIRE PROVISIONAL BALLOT AND REJECTED BALLOT  
12 REPORTS; AND FOR OTHER PURPOSES.  
13

## Subtitle

16 TO AMEND ELECTION LAW; TO AMEND THE LAW  
17 CONCERNING PROVISIONAL BALLOTS AND  
18 REJECTED BALLOTS; AND TO REQUIRE  
19 PROVISIONAL BALLOT AND REJECTED BALLOT  
20 REPORTS.  
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22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code Title 7, Chapter 5, Subchapter 9, is amended  
26 to add an additional section to read as follows:

27 7-5-906. Provisional and rejected ballot reporting.

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

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

32 (1) The total number of:

33 (A) Provisional ballots;

34 (B) Absentee provisional ballots;

35 (C) In-person provisional ballots cast during early  
36 voting;



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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*/s/A. Clark*

**APPROVED: 4/29/21**