

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

# A Bill

SENATE BILL 549

4  
5 By: Senator A. Clark

## For An Act To Be Entitled

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

## Subtitle

15 TO AMEND ELECTION LAW; TO AMEND THE LAW  
16 CONCERNING PROVISIONAL BALLOTS AND  
17 REJECTED BALLOTS; AND TO REQUIRE  
18 PROVISIONAL BALLOT AND REJECTED BALLOT  
19 REPORTS.

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

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

26 7-5-906. Provisional and rejected ballot reporting.

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

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

31 (1) The total number of:

32 (A) Provisional ballots;

33 (B) Absentee provisional ballots;

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

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



1 and

2 (E) Rejected ballots;

3 (2) The reason each ballot was rejected or provisional;

4 (3) The number of provisional ballots counted in the election  
5 results;

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

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

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

13 (i) An absentee ballot;

14 (ii) Cast during early voting; or

15 (iii) Cast on election day.

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

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

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

22 (i) An absentee ballot;

23 (ii) Cast during early voting; or

24 (iii) Cast on election day; and

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

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

33 (e) Within sixty (60) days of each election, the Secretary of State  
34 shall:

35 (1) Compile information reported by the county boards of  
36 election commissioners under this section; and

(2) Make the reports publicly available.

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