



STATE OF ARKANSAS

May 24, 2021

Mrs. Stacey Pectol
Clerk of Court
Arkansas Supreme Court
625 Marshall Street
Little Rock, AR 72201

Dear Clerk Pectol,

On Monday, May 24, 2021, the Board of Apportionment convened for the first time to discuss a general timeline for the redistricting of the Arkansas House of Representatives and the Arkansas Senate, otherwise known as the Arkansas General Assembly.

As you know, Article 8 of the Arkansas Constitution of 1874, as amended by Amendments 23 and 45 of the Arkansas Constitution, tasks the Board of Apportionment with redistricting districts of the General Assembly by February 1st immediately following a decennial census performed by the United States Census Bureau. The Arkansas Supreme Court has already found compliance with this deadline impossible, when the Census Bureau delivers its population counts after February 1st of the year in which redistricting occurs. See *Carpenter v. Board of Apportionment*, 218 Ark. 404 (1951) (per curiam).

While each Board of Apportionment has seen delays since 1951, the ongoing delay regarding 2020 Census data is far more significant than previous delays. As of the date of this letter, the State of Arkansas has not received the official redistricting data from the United States Census Bureau. The state has been informed that it can expect redistricting data by September 30, 2021. Consequently, a task that is normally performed at this time will likely be performed in late fall and early winter.

With this in mind, the Board of Apportionment gives the Arkansas Supreme Court notice of its intent to complete the redistricting of the Arkansas House of Representatives and the Arkansas Senate by December 31, 2021, if official population

counts are received by September 30, 2021. The Board finds this timeline reasonable under the circumstances.

Thank you, again, for your time and for your leadership to the State of Arkansas.

Sincerely,



Asa Hutchinson
Governor



Leslie Rutledge
Attorney General



John Thurston
Secretary of State