



General Assembly

January Session, 2013

Raised Bill No. 6679

LCO No. 4885



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING THE COUNTING OF INCARCERATED PERSONS FOR PURPOSES OF DETERMINING LEGISLATIVE DISTRICTS AND DISTRIBUTING STATE AND FEDERAL FUNDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2013*) (a) In each year in which the
2 federal decennial census is taken and in which the United States
3 Census Bureau counts incarcerated persons as residents of the towns
4 in which the correctional facilities are located, the Department of
5 Correction shall, not later than July first of that year, deliver to the
6 Secretary of the State in such form as the Secretary of the State shall
7 prescribe:
- 8 (1) A unique identifier, not including the name, for each
9 incarcerated person subject to the jurisdiction of the department on the
10 date for which the decennial census reports population;
- 11 (2) The street address of the correctional facility in which such
12 person was incarcerated at the time of such report;
- 13 (3) The residential address of such person prior to incarceration;

14 (4) The person's race, national origin and whether the person is
15 eighteen years of age or older; and

16 (5) Any additional information which the Secretary of the State may
17 request.

18 (b) Notwithstanding any provision of the general statutes, the
19 information required to be provided by this section shall not include
20 the name of any incarcerated person or allow for the identification of
21 any such person from such information. Such information shall be
22 confidential and not otherwise disclosed except as aggregated by
23 census block for purposes of section 5 of this act.

24 Sec. 2. (NEW) (*Effective July 1, 2013*) The Secretary of the State shall
25 request each agency that operates a federal facility in this state that
26 incarcerates persons convicted of a criminal offense to provide the
27 Secretary of the State with a report including the information listed in
28 subsection (a) of section 1 of this act.

29 Sec. 3. (NEW) (*Effective July 1, 2013*) (a) For each person included in
30 a report received under section 1 or 2 of this act, the Secretary of the
31 State shall determine the geographic units for which population counts
32 are reported in the federal decennial census that contain the address of
33 the facility in which the person was incarcerated and such person's
34 residential address as listed in such report.

35 (b) For each person included in a report received under section 1 or
36 2 of this act, if such person's residential address is known and in this
37 state, the Secretary of the State shall:

38 (1) Adjust all relevant population counts reported in the census as if
39 the person resided at that address on the date for which the census
40 reports population; and

41 (2) Ensure that the person is not represented in any applicable
42 population counts reported in the federal decennial census for the

43 geographic units that include the facility in which the person was
44 incarcerated on the date for which the census reports population.

45 (c) For each person included in a report received under section 1 or
46 2 of this act and each person reported in the census as residing in a
47 federal correctional facility for whom a report was not provided, if
48 such person's residential address is unknown or not in this state, the
49 Secretary of the State shall:

50 (1) Adjust all relevant population counts reported in the census as if
51 the person resided at an unknown geographic location within the state
52 on the date for which the census reports population; and

53 (2) Ensure that the person is not represented in any applicable
54 population counts reported in the federal decennial census for the
55 geographic units that include the facility in which the person was
56 incarcerated on the date for which the census reports population.

57 Sec. 4. (NEW) (*Effective July 1, 2013*) The Secretary of the State shall
58 prepare the adjusted data pursuant to section 3 of this act not later
59 than twenty-one days after the publication of the redistricting data for
60 this state by the United States Census Bureau and such adjusted data
61 shall be the basis for (1) determining state assembly and senatorial
62 districts, and (2) the distribution of state or federal funds or other
63 benefits. Residences at unknown geographic locations within the state
64 under subdivision (1) of subsection (c) of section 3 of this act shall not
65 be used to determine the average population of any set of districts.

66 Sec. 5. (NEW) (*Effective July 1, 2013*) The Department of Correction
67 shall determine the residential address of all persons committed to the
68 custody of the department on or after January 1, 2014, and maintain an
69 electronic record thereof. Such record shall contain, at a minimum, the
70 last-known residential street address of each person prior to
71 incarceration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section
Sec. 2	<i>July 1, 2013</i>	New section
Sec. 3	<i>July 1, 2013</i>	New section
Sec. 4	<i>July 1, 2013</i>	New section
Sec. 5	<i>July 1, 2013</i>	New section

Statement of Purpose:

To provide for the adjustment of population data so as to count incarcerated persons as residents of their last town of residence rather than as residents of the town in which the correctional facility is located.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]