



General Assembly

February Session, 2016

Raised Bill No. 459

LCO No. 3180



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, 2016*) (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 May 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 for each incarcerated person subject to the
9 jurisdiction of the department on the date for which the decennial
10 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 or other address of such person prior to

14 incarceration, if known;

15 (4) An indication whether or not such person is eighteen years of
16 age or older;

17 (5) The person's race and whether the person is of Hispanic or
18 Latino origin, if known; and

19 (6) Any additional information the Secretary of the State may
20 request pursuant to law.

21 (b) Notwithstanding any provision of the general statutes, the
22 information required to be provided by this section shall not include
23 the name of any incarcerated person or in any other way allow for the
24 identification of any such person from such information. Such
25 information shall be confidential and not otherwise disclosed except to
26 the Office of Legislative Research, created pursuant to section 2-71c of
27 the general statutes, for the purposes of section 3 of this act, or as
28 aggregated by census block for purposes of section 4 of this act.

29 Sec. 2. (NEW) (*Effective July 1, 2016*) In each year in which the federal
30 decennial census is taken and in which the United States Census
31 Bureau counts incarcerated persons as residents of the towns in which
32 the correctional facilities are located, the Secretary of the State shall
33 request each agency that operates a federal facility in this state that
34 incarcerates persons convicted of a criminal offense to provide the
35 Secretary of the State with a report including the information listed in
36 subsection (a) of section 1 of this act.

37 Sec. 3. (NEW) (*Effective July 1, 2016*) (a) For each person included in
38 a report received under section 1 or 2 of this act, the Office of
39 Legislative Research, created pursuant to section 2-71c of the general
40 statutes, shall determine the geographic units for which population
41 counts are reported in the federal decennial census that contain the
42 address of the facility in which the person was incarcerated and such
43 person's residential or other address as listed in such report.

44 (b) For each person included in a report received under section 1 or
45 2 of this act, if such person's residential or other address is known and
46 in this state, the Office of Legislative Research shall:

47 (1) Ensure that all relevant population counts reported in the census
48 are as if the person resided at that address on the date for which the
49 census reports population; and

50 (2) Ensure that the person is not represented in any applicable
51 population count reported in the federal decennial census for the
52 geographic units that include the facility in which the person was
53 incarcerated on the date for which the census reports population.

54 (c) For each person included in a report received under section 1 or
55 2 of this act whose residential or other address is unknown or not in
56 this state, and for each person reported in the census as residing in a
57 federal correctional facility for whom a report was not provided, the
58 Office of Legislative Research shall:

59 (1) Ensure that any such incarcerated person is not represented in
60 any geographical unit the correctional facility in which such person is
61 incarcerated is located; and

62 (2) Ensure that any such person is counted as part of a state unit not
63 tied to a specific geographical determination, in the same manner that
64 a person with an unknown state of residency is counted, including, but
65 not limited to, military and federal government personnel stationed
66 abroad.

67 Sec. 4. (NEW) (*Effective July 1, 2016*) The Secretary of the State shall
68 prepare and publish such data adjusted pursuant to section 3 of this
69 act not later than thirty days after the publication of the redistricting
70 data for this state by the United States Census Bureau and such
71 adjusted data shall be the basis for (1) determining state assembly and
72 senatorial districts and municipal redistricting, and (2) the distribution
73 of state or federal funds or other benefits. Residences at unknown

74 geographic locations within the state under subdivision (1) or (2) of
75 subsection (c) of section 3 of this act shall not be used to determine the
76 average population of any set of districts. The Secretary shall notify
77 each municipality that such data shall be used for the purposes of
78 municipal redistricting.

79 Sec. 5. (NEW) (*Effective July 1, 2016*) The Department of Correction
80 shall determine the residential street or other address of all persons
81 committed to the custody of the department on or after January 1,
82 2017, and maintain an electronic record of such addresses. Such record
83 shall contain, at a minimum, the last-known residential street or other
84 address of each person prior to incarceration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	New section
Sec. 2	<i>July 1, 2016</i>	New section
Sec. 3	<i>July 1, 2016</i>	New section
Sec. 4	<i>July 1, 2016</i>	New section
Sec. 5	<i>July 1, 2016</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.]