



General Assembly

Substitute Bill No. 459

February Session, 2016

* SB00459JUD 032216 *

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 the person is not represented in any applicable
60 population count reported in the federal decennial census for the
61 geographic units that include the facility in which the person was
62 incarcerated on the date for which the census reports population; and

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

68 Sec. 4. (NEW) (*Effective July 1, 2016*) The Secretary of the State shall
69 prepare and publish such data adjusted pursuant to section 3 of this
70 act not later than thirty days after the publication of the redistricting
71 data for this state by the United States Census Bureau and such
72 adjusted data shall be the basis for (1) determining state assembly and
73 senatorial districts and municipal redistricting, and (2) the distribution
74 of state or federal funds or other benefits. Residences at unknown
75 geographic locations within the state under subdivision (1) or (2) of
76 subsection (c) of section 3 of this act shall not be used to determine the
77 average population of any set of districts. The Secretary of the State
78 shall notify each municipality that such data shall be used for the
79 purposes of changing municipal voting districts.

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

In Section 3(c)(1), the language was modified for consistency with Section 3(b)(2) and in Section 4, "municipal redistricting" was changed to "changing municipal voting districts" for consistency with the general statutes.

JUD Joint Favorable Subst. -LCO