AN ACT CONCERNING THE COUNTING OF INCARCERATED PERSONS FOR PURPOSES OF DETERMINING LEGISLATIVE DISTRICTS.

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

Section 1. (NEW) (Effective July 1, 2019) (a) (1) In each year in which the federal decennial census is taken and in which the United States Census Bureau counts incarcerated persons as residents of the towns in which the correctional facilities are located, the Department of Correction shall, not later than May first of such year, deliver to the Secretary of the State in such form as the Secretary shall prescribe:

(A) A unique identifier for each incarcerated person subject to the jurisdiction of the department on the date for which the decennial census reports population;

(B) The street address of the correctional facility in which such person was incarcerated at the time of such report;

(C) The residential or other address of such person prior to incarceration, if known;

LCO No. 3570
(D) An indication of whether such person has attained the age of eighteen years;

(E) Such person's race and whether such person is of Hispanic or Latino origin, if known; and

(F) Any additional information the Secretary may request pursuant to law.

(2) Notwithstanding any provision of the general statutes, the information required to be provided by this subsection shall not include the name of any incarcerated person or in any other way allow for the identification of any such person from such information. Such information shall be confidential and not otherwise disclosed, except to the Office of Legislative Research created pursuant to section 2-71c of the general statutes, for the purposes of subsection (c) of this section, or as aggregated by census block for the purposes of subsection (d) of this section.

(b) In each year in which the federal decennial census is taken and in which the United States Census Bureau counts incarcerated persons as residents of the towns in which the correctional facilities are located, the Secretary shall request each agency that operates a federal facility in this state, which facility incarcerates persons convicted of a criminal offense, to provide the Secretary with a report including the information listed in subdivision (1) of subsection (a) of this section.

(c) (1) For each person included in a report received under subsection (a) or (b) of this section, the Office of Legislative Research shall determine the geographic units for which population counts are reported in the federal decennial census, which units contain the address of the facility in which such person was incarcerated, and such person's residential or other address as listed in such report.

(2) For each person included in a report received under subsection (a) or (b) of this section, if such person's residential or other address is
known and in this state, the Office of Legislative Research shall, not later than __ of such year, adjust such information to:

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

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

(3) For each person included in a report received under subsection (a) or (b) of this section whose residential or other address is unknown or not in this state, and for each person reported in the census as residing in a federal correctional facility for whom a report was not provided, the Office of Legislative Research shall, not later than __ of such year, adjust such information to:

(A) Ensure that such person is not represented in any applicable population count reported in the federal decennial census for the geographic units that include the facility in which such person was incarcerated on the date for which the census reports population; and

(B) Ensure that such person is counted as part of a state unit not tied to a specific geographical location, in the same manner that a person with an unknown state of residency is counted, including, but not limited to, military and federal government personnel stationed abroad.

(d) The Secretary shall prepare and publish such information adjusted pursuant to subsection (c) of this section not later than thirty days after the publication of the redistricting data for this state by the United States Census Bureau, and such adjusted information shall be the basis for determining state assembly and senatorial districts, as well as municipal voting districts. No residence at an unknown
geographical location within the state under subdivision (3) of subsection (c) of this section may be used to determine the average population of any set of districts. The Secretary shall notify each municipality that such information shall be used for the purposes of determining municipal voting districts.

(e) The Department of Correction shall determine the residential or other address of each person committed to the custody of the department on or after January 1, 2020, and maintain an electronic record of such address. Such record shall contain, at a minimum, the last-known residential or other address of each person prior to incarceration.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | July 1, 2019     | 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.]

Co-Sponsors: REP. DILLON, 92nd Dist.

H.B. 5611