



General Assembly

January Session, 2019

**Committee Bill No. 5611**

LCO No. 3570



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**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:

1 Section 1. (NEW) (*Effective July 1, 2019*) (a) (1) In each year in which  
2 the 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 such year, deliver to the  
6 Secretary of the State in such form as the Secretary shall prescribe:

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

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

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

14 (D) An indication of whether such person has attained the age of  
15 eighteen years;

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

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

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

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

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

42 (2) For each person included in a report received under subsection  
43 (a) or (b) of this section, if such person's residential or other address is

44 known and in this state, the Office of Legislative Research shall, not  
45 later than \_\_\_ of such year, adjust such information to:

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

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

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

59 (A) Ensure that such 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 such person was  
62 incarcerated on the date for which the census reports population; and

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

68 (d) The Secretary shall prepare and publish such information  
69 adjusted pursuant to subsection (c) of this section not later than thirty  
70 days after the publication of the redistricting data for this state by the  
71 United States Census Bureau, and such adjusted information shall be  
72 the basis for determining state assembly and senatorial districts, as  
73 well as municipal voting districts. No residence at an unknown

74 geographical location within the state under subdivision (3) of  
75 subsection (c) of this section may be used to determine the average  
76 population of any set of districts. The Secretary shall notify each  
77 municipality that such information shall be used for the purposes of  
78 determining municipal voting districts.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</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.]*

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

H.B. 5611