



Substitute Senate Bill No. 753

Public Act No. 21-13

**AN ACT CONCERNING THE COUNTING OF CERTAIN
INCARCERATED INDIVIDUALS FOR PURPOSES OF DETERMINING
STATE LEGISLATIVE AND MUNICIPAL VOTING DISTRICTS.**

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

Section 1. (NEW) (*Effective from passage*) (a) (1) Except as provided in subdivision (2) of this subsection, on or before the thirtieth day of June in 2021, and thereafter on or before the first day of May in each year in which the decennial census of the United States is taken and in which the United States Census Bureau counts any incarcerated individual as a resident of the town in which such incarcerated individual's respective correctional facility is located, the Department of Correction shall deliver to the Secretary of the Office of Policy and Management in such form as the secretary shall prescribe:

(A) A unique identifier for each incarcerated individual 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 individual was incarcerated at the time of such report;

(C) The residential or other address of such individual prior to incarceration;

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(D) An indication of whether such individual has attained the age of eighteen years;

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

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

(2) In the case of each incarcerated individual who is serving a sentence of life imprisonment without the possibility of release, the Department of Correction shall not deliver to the Secretary of the Office of Policy and Management the information described in subparagraph (C) of subdivision (1) of this subsection.

(3) Notwithstanding any provision of the general statutes, the information required to be provided under this subsection shall not include the name of any incarcerated individual or in any other way allow for the identification of any such individual from such information. Such information shall be confidential and not otherwise disclosed, except to the secretary 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) (1) Except as provided in subdivision (2) of this subsection, on or before the thirtieth day of June in 2021, and thereafter on or before the first day of May in each year in which the decennial census of the United States is taken and in which the United States Census Bureau counts any incarcerated individual as a resident of the town in which such incarcerated individual's respective correctional facility is located, the Secretary of the Office of Policy and Management shall request each agency that operates a federal correctional facility in this state to provide the secretary with a report including the information listed in subdivision (1) of subsection (a) of this section.

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(2) In the case of each incarcerated individual who is serving a sentence of life imprisonment without the possibility of release, the Secretary of the Office of Policy and Management shall not request of any agency that operates a federal correctional facility in this state that such agency provide the secretary with the information described in subparagraph (C) of subdivision (1) of subsection (a) of this section.

(c) (1) Except as provided in subdivision (4) of this subsection, for each individual included in a report received under subsection (a) or (b) of this section, the Secretary of the Office of Policy and Management shall determine the geographic units for which population counts are reported in the decennial census of the United States, which units contain the address of the facility in which such individual was incarcerated, and such individual's prior residential or other address as listed in such report.

(2) Except as provided in subdivision (4) of this subsection, for each individual included in a report received under subsection (a) or (b) of this section, if such individual's prior residential or other address is known and in this state, the secretary shall adjust such information to:

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

(B) Ensure that such individual is not represented in any applicable population count reported in the decennial census for the geographic units that include the facility in which such individual was incarcerated on the date for which the census reports population, unless such individual's prior residential or other address is located within the same such geographic units.

(3) Except as provided in subdivision (4) of this subsection, for each individual included in a report received under subsection (a) or (b) of

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this section whose residential or other address is unknown or not in this state, and for each individual reported in the decennial census as residing in a federal correctional facility for whom a report was not provided, the secretary shall adjust such information to:

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

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

(4) For each individual included in a report received under subsection (a) or (b) of this section who is serving a sentence of life imprisonment without the possibility of release, the secretary shall not adjust such information and shall ensure that such individual is represented in the applicable population count reported in the decennial census for the geographic units that include the facility in which such individual was incarcerated on the date for which the census reports population.

(d) The Secretary of the Office of Policy and Management shall prepare and publish such information, both adjusted and unadjusted, pursuant to subsection (c) of this section on or before either the first day of July next following the year in which the decennial census of the United States is taken or the thirtieth day after the publication of the redistricting data for this state by the United States Census Bureau in such year, whichever is later, and such adjusted and unadjusted 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

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(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 the adjusted and unadjusted information shall be used for the purposes of determining municipal voting districts.

(e) The Department of Correction shall (1) determine the residential or other address of each individual who is committed to the custody of the department as of or after January 1, 2020, and decennially thereafter, and who remains so committed on the date for which the census reports population, and (2) maintain an electronic record of such address. Such record shall contain, at a minimum, the last-known residential or other address of each such individual prior to incarceration.

Approved May 26, 2021