



General Assembly

Amendment

January Session, 2021

LCO No. 8021



Offered by:

SEN. KELLY, 21st Dist.
SEN. FORMICA, 20th Dist.
SEN. BERTHEL, 32nd Dist.
SEN. CHAMPAGNE, 35th Dist.
SEN. CICARELLA, 34th Dist.
SEN. HWANG, 28th Dist.

SEN. KISSEL, 7th Dist.
SEN. MARTIN, 31st Dist.
SEN. MINER, 30th Dist.
SEN. SAMPSON, 16th Dist.
SEN. SOMERS, 18th Dist.
SEN. WITKOS, 8th Dist.

To: Subst. Senate Bill No. 753

File No. 448

Cal. No. 274

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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

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

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

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

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

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

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

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

30 (3) Notwithstanding any provision of the general statutes, the
31 information required to be provided under this subsection shall not
32 include the name of any incarcerated individual or in any other way
33 allow for the identification of any such individual from such
34 information. Such information shall be confidential and not otherwise
35 disclosed, except to the secretary for the purposes of subsection (c) of
36 this section, or as aggregated by census block for the purposes of
37 subsection (d) of this section.

38 (b) (1) Except as provided in subdivision (2) of this subsection, on or
39 before the thirtieth day of June in 2021, and thereafter on or before the
40 first day of May in each year in which the decennial census of the United
41 States is taken and in which the United States Census Bureau counts any

42 incarcerated individual as a resident of the town in which such
43 incarcerated individual's respective correctional facility is located, the
44 Secretary of the Office of Policy and Management shall request each
45 agency that operates a federal correctional facility in this state to provide
46 the secretary with a report including the information listed in
47 subdivision (1) of subsection (a) of this section.

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

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

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

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

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

73 (3) Except as provided in subdivision (4) of this subsection, for each
74 individual included in a report received under subsection (a) or (b) of
75 this section whose residential or other address is unknown or not in this
76 state, and for each individual reported in the decennial census as
77 residing in a federal correctional facility for whom a report was not
78 provided, the secretary shall adjust such information to:

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

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

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

95 (d) The Secretary of the Office of Policy and Management shall
96 prepare and publish such information, both adjusted and unadjusted,
97 pursuant to subsection (c) of this section on or before either the first day
98 of July next following the year in which the decennial census of the
99 United States is taken or the thirtieth day after the publication of the
100 redistricting data for this state by the United States Census Bureau in
101 such year, whichever is later, and such adjusted and unadjusted
102 information shall be the basis for determining state assembly and
103 senatorial districts, as well as municipal voting districts. No residence at
104 an unknown geographical location within the state under subdivision

105 (3) of subsection (c) of this section may be used to determine the average
 106 population of any set of districts. The secretary shall notify each
 107 municipality that the adjusted and unadjusted information shall be used
 108 for the purposes of determining municipal voting districts.

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

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | New section |