



General Assembly

January Session, 2021

Amendment

LCO No. 8451



Offered by:
REP. CALLAHAN, 108th Dist.

To: Subst. Senate Bill No. 753 File No. 448 Cal. No. 456

"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 (b) of
36 this section, or as aggregated by census block for the purposes of
37 subsection (c) of this section.

38 (b) (1) Except as provided in subdivision (4) of this subsection, for
39 each individual included in a report received under subsection (a) of
40 this section, the Secretary of the Office of Policy and Management shall
41 determine the geographic units for which population counts are
42 reported in the decennial census of the United States, which units

43 contain the address of the facility in which such individual was
44 incarcerated, and such individual's prior residential or other address as
45 listed in such report.

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

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

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

59 (3) Except as provided in subdivision (4) of this subsection, for each
60 individual included in a report received under subsection (a) of this
61 section whose residential or other address is unknown or not in this
62 state, the secretary shall adjust such information to:

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

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

72 (4) For each individual included in a report received under subsection

73 (a) of this section who is serving a sentence of life imprisonment without
 74 the possibility of release, the secretary shall not adjust such information
 75 and shall ensure that such individual is represented in the applicable
 76 population count reported in the decennial census for the geographic
 77 units that include the facility in which such individual was incarcerated
 78 on the date for which the census reports population.

79 (c) The Secretary of the Office of Policy and Management shall
 80 prepare and publish such information, both adjusted and unadjusted,
 81 pursuant to subsection (b) of this section on or before either the first day
 82 of July next following the year in which the decennial census of the
 83 United States is taken or the thirtieth day after the publication of the
 84 redistricting data for this state by the United States Census Bureau in
 85 such year, whichever is later, and such adjusted and unadjusted
 86 information shall be the basis for determining state assembly and
 87 senatorial districts, as well as municipal voting districts. No residence at
 88 an unknown geographical location within the state under subdivision
 89 (3) of subsection (b) of this section may be used to determine the average
 90 population of any set of districts. The secretary shall notify each
 91 municipality that the adjusted and unadjusted information shall be used
 92 for the purposes of determining municipal voting districts.

93 (d) The Department of Correction shall (1) determine the residential
 94 or other address of each individual who is committed to the custody of
 95 the department as of or after January 1, 2020, and decennially thereafter,
 96 and who remains so committed on the date for which the census reports
 97 population, and (2) maintain an electronic record of such address. Such
 98 record shall contain, at a minimum, the last-known residential or other
 99 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 |