



General Assembly

February Session, 2020

Raised Bill No. 368

LCO No. 1773



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, 2020*) (a) (1) Not later than May first
2 in any year in which a federal decennial census has been taken and in
3 which the United States Census Bureau counted any incarcerated
4 individual as a resident of the town in which such incarcerated
5 individual's respective correctional facility is located, the Department of
6 Correction shall deliver to the Secretary of the Office of Policy and
7 Management in such form as the secretary shall prescribe:

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

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

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

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

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

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

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

29 (b) Not later than May first in any year in which the federal decennial
30 census has been taken and in which the United States Census Bureau
31 counted any incarcerated individual as a resident of the town in which
32 such incarcerated individual's respective correctional facility is located,
33 the Secretary of the Office of Policy and Management shall request each
34 agency that operates a federal correctional facility in this state to provide
35 the secretary with a report including the information listed in
36 subdivision (1) of subsection (a) of this section.

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

44 (2) For each individual included in a report received under subsection
45 (a) or (b) of this section, if such individual's residential or other address
46 is known and in this state, the secretary shall adjust such information to:

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

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

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

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

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

68 (d) The Secretary of the Office of Policy and Management shall
69 prepare and publish such information adjusted pursuant to subsection
70 (c) of this section not later than thirty days after the publication of the
71 redistricting data for this state by the United States Census Bureau in
72 the year following the taking of the federal decennial census, and such
73 adjusted information shall be the basis for determining state assembly
74 and senatorial districts, as well as municipal voting districts. No

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

80 (e) The Department of Correction shall determine the residential or
81 other address of each individual committed to the custody of the
82 department on or after January 1, 2021, and maintain an electronic
83 record of such address. Such record shall contain, at a minimum, the
84 last-known residential or other address of each individual prior to
85 incarceration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2020	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.]