



General Assembly

**Substitute Bill No. 753**

January Session, 2021



**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 from passage*) (a) (1) On or before the first  
2 day of May next following the year in which the decennial census of the  
3 United States is taken and in which the United States Census Bureau  
4 counts any incarcerated individual as a resident of the town in which  
5 such incarcerated individual's respective correctional facility is located,  
6 the Department of Correction shall deliver to the Secretary of the Office  
7 of Policy and 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;

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) On or before the first day of May next following the year in which  
30 the decennial census of the United States is taken and in which the  
31 United States Census Bureau counts any incarcerated individual as a  
32 resident of the town in which such incarcerated individual's respective  
33 correctional facility is located, the Secretary of the Office of Policy and  
34 Management shall request each agency that operates a federal  
35 correctional facility in this state to provide the secretary with a report  
36 including the information listed in subdivision (1) of subsection (a) of  
37 this section.

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

45 (2) For each individual included in a report received under subsection  
46 (a) or (b) of this section, if such individual's prior residential or other

47 address is known and in this state, the secretary shall adjust such  
48 information to:

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

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

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

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

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

70 (d) The Secretary of the Office of Policy and Management shall  
71 prepare and publish such information adjusted pursuant to subsection  
72 (c) of this section on or before either the first day of July next following  
73 the year in which the decennial census of the United States is taken or  
74 the thirtieth day after the publication of the redistricting data for this  
75 state by the United States Census Bureau in such year, whichever is  
76 later, and such adjusted information shall be the basis for determining  
77 state assembly and senatorial districts, as well as municipal voting

78 districts. No residence at an unknown geographical location within the  
79 state under subdivision (3) of subsection (c) of this section may be used  
80 to determine the average population of any set of districts. The secretary  
81 shall notify each municipality that the adjusted information shall be  
82 used for the purposes of determining municipal voting districts.

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

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

**Statement of Legislative Commissioners:**

In the last sentence of Subsec. (d), "such information" was changed to "the adjusted information" for clarity.

**GAE**      *Joint Favorable Subst.*