



General Assembly

Amendment

January Session, 2021

LCO No. 8448



Offered by:

REP. VAIL, 52nd Dist.
REP. FRANCE, 42nd Dist.
REP. ZAWISTOWSKI, 61st Dist.
REP. HALL, 59th Dist.
REP. CHEESEMAN, 37th Dist.

REP. CALLAHAN, 108th Dist.
REP. BOLINSKY, 106th Dist.
REP. DUBITSKY, 47th Dist.
REP. HAYES, 51st Dist.
SEN. KISSEL, 7th 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 (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) of this section.

54 (c) (1) Except as provided in subdivision (3) 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 (3) 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, unless such
73 individual's prior residential or other address is located within the same

74 such geographic units.

75 (3) For each individual (A) included in a report received under
76 subsection (a) or (b) of this section who is serving a sentence of life
77 imprisonment without the possibility of release, (B) included in a report
78 received under subsection (a) or (b) of this section whose residential
79 address or other address is unknown or not in this state, and (C)
80 reported in the decennial census as residing in a federal correctional
81 facility for whom a report was not provided, the secretary shall not
82 adjust such information and shall ensure that such individual is
83 represented in the applicable population count reported in the decennial
84 census for the geographic units that include the facility in which such
85 individual was incarcerated on the date for which the census reports
86 population.

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

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

107 address of each such individual prior to incarceration."

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