



General Assembly

## Amendment

January Session, 2021

LCO No. 10737



Offered by:

REP. ARCONTI, 109<sup>th</sup> Dist.

REP. CALLAHAN, 108<sup>th</sup> Dist.

REP. GODFREY, 110<sup>th</sup> Dist.

REP. YACCARINO, 87<sup>th</sup> Dist.

REP. ALLIE-BRENNAN, 2<sup>nd</sup> Dist.

REP. VAIL, 52<sup>nd</sup> Dist.

REP. GUCKER, 138<sup>th</sup> Dist.

To: Subst. House Bill No. 6578

File No. 578

Cal. No. 405

### **"AN ACT CONCERNING PARTICIPATION IN THE ELECTORAL PROCESS."**

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

3 "Section 1. Section 1 of public act 21-13 is repealed and the following  
4 is substituted in lieu thereof (*Effective from passage*):

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

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

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

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

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

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

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

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

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

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

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

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

55 [(c)] (b) (1) Except as provided in subdivision [(4)] (3) of this  
56 subsection, for each individual included in a report received under  
57 subsection (a) [or (b)] of this section, the Secretary of the Office of Policy  
58 and Management shall determine the geographic units for which  
59 population counts are reported in the decennial census of the United  
60 States, which units contain the address of the facility in which such  
61 individual was incarcerated, and such individual's prior residential or  
62 other address as listed in such report.

63 (2) Except as provided in subdivision [(4)] (3) of this subsection, for  
64 each individual included in a report received under subsection (a) [or  
65 (b)] of this section, if such individual's prior residential or other address  
66 is known and in this state, the secretary shall adjust such information to:

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

70 (B) Ensure that such individual is not represented in any applicable  
71 population count reported in the decennial census for the geographic  
72 units that include the facility in which such individual was incarcerated  
73 on the date for which the census reports population, unless such  
74 individual's prior residential or other address is located within the same

75 such geographic units.

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

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

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

91 [(4)] (3) For each individual included in a report received under  
92 subsection (a) [or (b)] of this section (A) who is serving a sentence of life  
93 imprisonment without the possibility of release, or (B) whose residential  
94 address or other address is unknown or not in this state, the secretary  
95 shall not adjust such information and shall ensure that such individual  
96 is represented in the applicable population count reported in the  
97 decennial census for the geographic units that include the facility in  
98 which such individual was incarcerated on the date for which the census  
99 reports population.

100 [(d)] (c) The Secretary of the Office of Policy and Management shall  
101 prepare and publish such information, both adjusted and unadjusted,  
102 pursuant to subsection [(c)] (b) of this section on or before either the first  
103 day of July next following the year in which the decennial census of the  
104 United States is taken or the thirtieth day after the publication of the  
105 redistricting data for this state by the United States Census Bureau in  
106 such year, whichever is later, and [such adjusted and unadjusted

107 information] the redistricting data adjusted in accordance with this  
 108 section shall be the basis for determining state assembly and senatorial  
 109 districts, as well as municipal voting districts. [No residence at an  
 110 unknown geographical location within the state under subdivision (3)  
 111 of subsection (c) of this section may be used to determine the average  
 112 population of any set of districts.] The secretary shall notify each  
 113 municipality that [the adjusted and unadjusted information] such  
 114 adjusted redistricting data shall be used for the purposes of determining  
 115 municipal voting districts. In no case may such adjusted redistricting  
 116 data be used for the purposes of calculating municipal aid, as defined in  
 117 section 7-560 of the general statutes.

118 [(e)] (d) The Department of Correction shall (1) determine the  
 119 residential or other address of each individual who is committed to the  
 120 custody of the department as of or after January 1, 2020, and decennially  
 121 thereafter, and who remains so committed on the date for which the  
 122 census reports population, and (2) maintain an electronic record of such  
 123 address. Such record shall contain, at a minimum, the last-known  
 124 residential or other address of each such individual prior to  
 125 incarceration."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	PA 21-13, Sec. 1