

By Senator Bullard

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1 A bill to be entitled
2 An act relating to the decennial census; amending s.
3 11.031, F.S.; requiring the Legislature to adjust
4 federal decennial census figures to include prisoners
5 in the geographic areas where they last resided before
6 incarceration rather than the facility where they were
7 residing at the time of the federal census; creating
8 s. 944.805, F.S.; requiring the Department of
9 Corrections to provide a report to the Legislature
10 listing certain information relating to prisoners in
11 state correctional institutions and federal
12 facilities; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (1) of section 11.031, Florida
17 Statutes, is amended to read:

18 11.031 Official census.—

19 (1) All acts of the Florida Legislature based upon
20 population and all constitutional apportionments shall be based
21 upon the last federal decennial statewide census as adjusted
22 under this subsection. For each prisoner included in the report
23 submitted by the Department of Corrections pursuant to s.
24 944.805, the Legislature shall determine the geographic units
25 for which population counts are reported in the federal
26 decennial census which contain the last address where the
27 prisoner resided before incarceration. If that address is in
28 this state, the Legislature shall:

29 (a) Adjust all relevant population counts reported in the

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30 census, including populations by age, gender, and race as if the
31 person resided at that address on the day the census reports
32 population.

33 (b) Eliminate the person from all applicable population
34 counts reported in the census for the geographic units in this
35 state which include the state correctional institution or
36 federal facility for which the census reports population.

37 Section 2. Section 944.805, Florida Statutes, is created to
38 read:

39 944.805 Decennial census of prison population.-

40 (1) By June 1 of the year in which the federal decennial
41 census is conducted, the Department of Corrections shall submit
42 a report to the Legislature containing the following
43 information:

44 (a) The name of each prisoner incarcerated in a state
45 correctional institution or federal facility located in this
46 state on the date the census reports population who completed a
47 census form, responded to a census inquiry, or is included in
48 any report provided to census officials, if the form, response,
49 or report indicates that the prisoner resides at the
50 correctional institution or federal facility.

51 (b) The age, gender, and race of each prisoner included in
52 the report.

53 (c) The location of the state correctional institution or
54 federal facility where the prisoner is residing on the date the
55 population is counted.

56 (d) The last address where the prisoner resided before his
57 or her incarceration.

58 (2) The Secretary of Corrections shall request each agency

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59 that operates a federal facility in this state which
60 incarcerates prisoners convicted of a federal criminal offense
61 to provide a report that includes the information listed in
62 subsection (1) for each prisoner residing at the facility.

63 Section 3. This act shall take effect July 1, 2010.