

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 federal  
 4           decennial census figures to include prisoners in the  
 5           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 s.  
 8           944.805, F.S.; requiring the Department of Corrections to  
 9           provide a report to the Legislature listing certain  
 10          information relating to prisoners in state correctional  
 11          institutions and federal facilities; providing an  
 12          effective date.

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

15  
 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  
 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  
 38 to 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

HB 1203

2011

57 or her incarceration.

58 (2) The Secretary of Corrections shall request each agency  
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, 2011.