

By Senator Bracy

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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
7 resided at the time of the federal census; creating s.
8 944.805, F.S.; requiring the Department of Corrections
9 to provide a report to the Legislature by a specified
10 date listing certain information relating to prisoners
11 in state correctional institutions and federal
12 facilities; requiring the Secretary of Corrections to
13 request certain agencies to provide such information
14 in a report to the department; providing an effective
15 date.

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17 Be It Enacted by the Legislature of the State of Florida:

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

21 11.031 Official census.—

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

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30 prisoner resided before incarceration. If that address is in
31 this state, the Legislature shall:

32 (a) Adjust all relevant population counts reported in the
33 census, including populations by age, gender, and race, as if
34 the person resided at that address on the day the census
35 reported population; and

36 (b) Remove the person from all applicable population counts
37 reported in the census for the geographic units in this state
38 which include the state correctional institution or federal
39 facility for which the census reports population.

40 Section 2. Section 944.805, Florida Statutes, is created to
41 read:

42 944.805 Decennial census of prison population.—

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

47 (a) The name of each prisoner incarcerated in a state
48 correctional institution or federal facility located in this
49 state who completed a census form, responded to a census
50 inquiry, or was included in any report provided to census
51 officials, if the form, response, or report indicates that the
52 prisoner resided at the correctional institution or federal
53 facility on the date the population was counted.

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

56 (c) The location of the state correctional institution or
57 federal facility where the prisoner resided on the date the
58 population was counted.

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

61 (2) The Secretary of Corrections shall request each agency
62 that operates a federal facility in this state which
63 incarcerates prisoners convicted of a federal criminal offense
64 to provide a report to the department that includes the
65 information listed in subsection (1) for each prisoner residing
66 at the facility.

67 Section 3. This act shall take effect upon becoming a law.