

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  
 5           incarcerated individuals in the geographic areas where  
 6           they last resided before incarceration rather than the  
 7           facility where they resided at the time of the federal  
 8           census; creating s. 944.805, F.S.; requiring the  
 9           Department of Corrections to provide a report to the  
 10          Legislature by a specified date listing certain  
 11          information relating to individuals in state  
 12          correctional institutions and federal facilities;  
 13          requiring the Secretary of Corrections to request  
 14          certain agencies to provide such information in a  
 15          report to the department; providing an effective 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 incarcerated individual included

26 | in the report submitted by the Department of Corrections  
 27 | pursuant to s. 944.805, the Legislature shall determine the  
 28 | geographic units for which population counts are reported in the  
 29 | federal decennial census and which contain the last address  
 30 | where the incarcerated individual resided before incarceration.  
 31 | If that address is in this the 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  
 37 | counts reported in the census for the geographic units in this  
 38 | the state which include the state correctional institution or  
 39 | federal facility for which the census reports population.

40 |       Section 2. Section 944.805, Florida Statutes, is created  
 41 | to 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 the following  
 46 | information:

47 |       (a) The name of each incarcerated individual 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 incarcerated individual resided at the correctional institution  
53 or federal facility on the date the population was counted.

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

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

59 (d) The last address where the incarcerated individual  
60 resided before his 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 individuals 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 incarcerated  
66 individual residing at the facility.

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