

HOUSE BILL No. 5960

March 17, 2010, Introduced by Reps. Lemmons, Durhal, Stanley, Young, Espinoza, Cushingberry, Kennedy, Leland, Johnson and Dean and referred to the Committee on Judiciary.

A bill to require state and local governmental bodies to use census figures adjusted to reflect preincarceration addresses of persons imprisoned in this state; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "prisoner census adjustment act".

3 Sec. 3. Not later than June 1 of the year in which the federal
4 decennial census is conducted, each state and local governmental
5 entity in this state that operates a facility for the incarceration
6 of persons convicted of a criminal offense or that places any
7 person convicted of a criminal offense in a private facility to be
8 incarcerated on behalf of the governmental entity shall submit a

1 report to the secretary of state with the following information:

2 (a) The name of each person incarcerated on the date for which
3 the census reports population who completed a census form,
4 responded to a census inquiry, or was included in any report
5 provided to census officials, if the form, response, or report
6 indicated that the person resided at the facility on that date.

7 (b) The age, gender, and race of each person included in the
8 report.

9 (c) The last address at which the person resided before the
10 person's current incarceration.

11 Sec. 5. (1) For each person included in a report received
12 under section 3, the secretary of state shall determine the
13 geographic units for which population counts are reported in the
14 federal decennial census that contain the last address at which the
15 person resided before the person's incarceration according to the
16 report and, if that address is in this state, do the following:

17 (a) Adjust all relevant population counts reported in the
18 census, including populations by age, gender, and race, as if the
19 person resided at that address on the day for which the census
20 reports population.

21 (b) Eliminate the person from all applicable population counts
22 reported in the federal decennial census for the geographic units
23 that include the facility at which the person was incarcerated on
24 the day for which the census reports population.

25 (2) Not later than the next September 1 following the date on
26 which the tract-level population counts for this state from the
27 federal decennial census are released by the director of the bureau

1 of the census of the United States department of commerce, the
2 secretary of state shall prepare and disseminate adjusted
3 population counts for each geographic unit included in the census
4 counts as provided by subsection (1).

5 Sec. 7. A state governmental body that redistricts any
6 election districts subject to the one-person-one-vote requirement
7 of the constitution of the United States shall use the most recent
8 adjusted population counts prepared by the secretary of state under
9 section 5.