

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4
5 By: Representative Lea

A Bill

HOUSE BILL 2102

For An Act To Be Entitled

8 AN ACT TO CLARIFY COUNTY POPULATION FOR APPORTIONMENT
9 PURPOSES; TO REQUIRE THE DEPARTMENT OF CORRECTION TO
10 COLLECT AND MAINTAIN RESIDENTIAL ADDRESS INFORMATION
11 FOR INCARCERATED PERSONS; TO CLARIFY THE DISTRIBUTION
12 OF FUNDS TO COUNTIES; AND FOR OTHER PURPOSES.

Subtitle

16 TO CLARIFY COUNTY POPULATION FOR
17 APPORTIONMENT PURPOSES; TO REQUIRE THE
18 DEPARTMENT OF CORRECTION TO COLLECT AND
19 MAINTAIN RESIDENTIAL ADDRESS INFORMATION
20 FOR INCARCERATED PERSONS; TO CLARIFY THE
21 DISTRIBUTION OF FUNDS TO COUNTIES.

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26 SECTION 1. Arkansas Code § 14-14-403(b), concerning apportionment of
27 districts, is amended to read as follows:

28 (b)(1) All apportionments shall be based on the population of the
29 county as of the last federal decennial census as adjusted under § 14-14-
30 404. ~~and the~~

31 (2) ~~The~~ number of districts apportioned shall be equal to the
32 number to which the county is entitled by law.

34 SECTION 2. Arkansas Code § 14-14-404 is amended to read as follows:
35 14-14-404. Federal decennial census data.

36 (a)(1) The State Board of Apportionment shall provide each of the



1 respective county boards of election commissioners with the appropriate and
2 necessary federal decennial census information, not less than ninety (90)
3 days ~~prior to~~ before the date established for apportionment of county quorum
4 court districts.

5 (2)(A) The board shall adjust the population for each county
6 based on the residential address of each incarcerated person before
7 sentencing provided under subsection (b) of this section and use the adjusted
8 information for all apportionment purposes.

9 (B) An incarcerated person who was not a resident of the
10 state before sentencing or has an unknown residential address before
11 sentencing shall not be counted for apportionment purposes.

12 (b)(1) Each year when the federal decennial census is taken and the
13 United States Census Bureau counts incarcerated persons as residents of the
14 county where the correctional facility is located, the Department of
15 Correction shall collect and maintain a record of:

16 (A) The residential address that each incarcerated person
17 had before his or her sentencing; and

18 (B) Each incarcerated person who was not a resident of the
19 state before sentencing or has an unknown residential address before
20 sentencing; and

21 (2)(A) The department shall submit to the Secretary of State, on
22 or before July 1, the records collected and maintained under subdivision
23 (b)(1) of this section.

24 (B) The department shall not include the name of any
25 incarcerated person with the information submitted to the Secretary of State
26 under this section.

27 (c) The Secretary of State shall provide the board with the number of
28 incarcerated persons that shall:

29 (1) Be included as residents for each county and county census
30 block, based on the information received from the department; and

31 (2) Not be included as residents for apportionment purposes
32 because the incarcerated person was not a resident of the state before
33 sentencing or has an unknown residential address before sentencing.

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35 SECTION 3. Arkansas Code § 27-70-207(a)(3)(C) and (D), concerning
36 highway revenue distribution to counties, is amended to read as follows:

1 (C) Seventeen and one-half percent (17.5%) of the amount
2 according to population based upon the most recent federal decennial census
3 as adjusted under § 14-14-404, with each county to receive the proportion
4 that its population bears to the population of the state;

5 (D) Thirteen and one-half percent (13.5%) of the amount
6 according to rural population based upon the most recent federal decennial
7 census as adjusted under § 14-14-404, with each county to receive the
8 proportion that its rural population bears to the rural population of the
9 state; and

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