

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011

# A Bill

HOUSE BILL 1996

4 By: Representative Lea

5  
6 Filed with: Interim House Committee on State Agencies and Governmental Affairs  
7 pursuant to A.C.A. §10-3-217.

## 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; AND FOR OTHER PURPOSES.  
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## Subtitle

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15 TO CLARIFY COUNTY POPULATION FOR  
16 APPORTIONMENT PURPOSES; TO REQUIRE THE  
17 DEPARTMENT OF CORRECTION TO COLLECT AND  
18 MAINTAIN RESIDENTIAL ADDRESS INFORMATION  
19 FOR INCARCERATED PERSONS.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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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 except that a person  
30 incarcerated in a correctional facility in the Department of Correction shall  
31 be included as a resident of the county he or she resided in at the time of  
32 sentencing., and the

33 (2) The number of districts apportioned shall be equal to the  
34 number to which the county is entitled by law.  
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36 SECTION 2. Arkansas Code § 14-14-404 is amended to read as follows:

1 14-14-404. Federal decennial census data.

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

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

11 (b)(1) The Department of Correction shall collect and maintain a  
12 record of the residential address that each incarcerated person had before  
13 his or her sentencing.

14 (2) Each year when the federal decennial census is taken and the  
15 United States Census Bureau counts incarcerated persons as residents of the  
16 county in which the correctional facility is located, the department shall  
17 submit to the Secretary of State, on or before July 1, the residential  
18 address of each incarcerated person before sentencing.

19 (3) The department shall not include the name of any  
20 incarcerated person with the information submitted to the Secretary of State  
21 under this section.

22 (c) The Secretary of State shall provide the board with the number of  
23 incarcerated persons that shall be included as residents of each county,  
24 based on the information received from the department.

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26 Referred by the Arkansas House of Representatives

27 Prepared by: SAG/VJF

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