

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

A Bill

HOUSE BILL 1996

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.

Subtitle

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.

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

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

26 (b)(1) All apportionments shall be based on the population of the
27 county as of the last federal decennial census except that a person
28 incarcerated in a correctional facility in the Department of Correction shall
29 be included as a resident of the county he or she resided in at the time of
30 sentencing. ~~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) The board shall adjust the population for each county based
 6 on the residential address of each incarcerated person before sentencing
 7 provided under subsection (b) of this section and use the adjusted
 8 information for all apportionment purposes.

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

12 (2) 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 in which the correctional facility is located, the department shall
 15 submit to the Secretary of State, on or before July 1, the residential
 16 address of each incarcerated person before sentencing.

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

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

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