



Rep. La Shawn K. Ford

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LRB101 04795 SMS 71205 a

1 AMENDMENT TO HOUSE BILL 203

2 AMENDMENT NO. _____. Amend House Bill 203 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the No
5 Representation Without Population Act.

6 Section 3. Definition. As used in this Act, "Department"
7 means the Department of Corrections.

8 Section 5. Electronic records. The Department shall
9 collect and maintain an electronic record of the legal
10 residence, outside of any correctional facility, and other
11 demographic data for each person in custody or entering custody
12 on or after the effective date of this Act. At a minimum, this
13 record shall contain the person's last known complete street
14 address prior to incarceration, the person's race, whether the
15 person is of Hispanic or Latino origin, and whether the person

1 is 18 years of age or older. To the degree possible, the
2 Department shall also allow the legal residence to be updated
3 as appropriate.

4 Section 10. Reports to the Secretary of State.

5 (a) Beginning in 2030, on or before May 1 of each year
6 where the federal decennial census is taken but in which the
7 United States Bureau of the Census allocates incarcerated
8 persons as residents of correctional facilities, the
9 Department shall deliver to the Secretary of State the
10 following information:

11 (1) A unique identifier, not including the name or
12 Department-assigned inmate number, for each incarcerated
13 person subject to the jurisdiction of the Department on the
14 date for which the decennial census reports population. The
15 unique identifier shall enable the Secretary of State to
16 address inquiries about specific address records to the
17 Department, without making it possible for anyone outside
18 of the Department to identify the inmate to whom the
19 address record pertains.

20 (2) The street address of the correctional facility
21 where the person was incarcerated at the time of the
22 report.

23 (3) The last known address of the person prior to
24 incarceration or other legal residence, if known.

25 (4) The person's race, whether the person is of

1 Hispanic or Latino origin, and whether the person is age 18
2 or older, if known.

3 (5) Any additional information as the Secretary of
4 State may request pursuant to law.

5 (b) The Department shall provide the information specified
6 in subsection (a) in the form that the Secretary of State shall
7 specify.

8 (c) Notwithstanding any other provision of law, the
9 information required to be provided to the Secretary of State
10 pursuant to this Section shall not include the name of any
11 incarcerated person and shall not allow for the identification
12 of any person therefrom, except to the Department. The
13 information shall be treated as confidential and shall not be
14 disclosed by the Secretary of State except as redistricting
15 data aggregated by census block for purposes specified in
16 Section 20.

17 Section 15. Federal facilities. On or before February 1,
18 2030 and on or before February 1 of each year in which the
19 federal decennial census is taken but in which the United
20 States Bureau of the Census allocates incarcerated persons as
21 residents of correctional facilities, the Secretary of State
22 shall request each agency that operates a federal facility in
23 this State that incarcerates persons convicted of a criminal
24 offense to provide the Secretary of State with a report that
25 includes the information listed in subsection (a) of Section

1 10.

2 Section 20. Secretary of State; redistricting data.
3 Beginning in 2031, the Secretary of State shall prepare
4 redistricting population data to reflect incarcerated persons
5 at their residential address, pursuant to Section 25. The data
6 prepared by the Secretary of State shall be the basis of the
7 Legislative and Representative Districts required to be
8 created pursuant to Section 3 of Article IV of the Illinois
9 Constitution of 1970. Incarcerated populations residing at
10 unknown geographic locations within the State, as determined
11 under paragraph (2) of subsection (c) of Section 25, shall not
12 be used to determine the ideal population of any set of
13 districts, wards, or precincts.

14 Section 25. Determinations and data publication by the
15 Secretary of State.

16 (a) For each person included in a report received under
17 Sections 10 and 15, the Secretary of State shall determine the
18 geographic units for which population counts are reported in
19 the federal decennial census that contain the facility of
20 incarceration and the legal residence as listed according to
21 the report.

22 (b) For each person included in a report received under
23 Sections 10 and 15, if the legal residence is known and in this
24 State, the Secretary of State shall:

1 (1) ensure that the person is not represented in any
2 population counts reported by the Secretary of State for
3 the geographic units that include the facility where the
4 person was incarcerated, unless that geographic unit also
5 includes the person's legal residence; and

6 (2) ensure that any population counts reported by the
7 Secretary of State reflect the person's residential
8 address as reported under Sections 10 and 15.

9 (c) For each person included in a report received under
10 Sections 10 and 15 for whom a legal residence is unknown or not
11 in this State and for all persons reported in the census as
12 residing in a federal correctional facility for whom a report
13 was not provided, the Secretary of State shall:

14 (1) ensure that the person is not represented in any
15 population counts reported by the Secretary of State for
16 the geographic units that include the facility where the
17 person was incarcerated; and

18 (2) allocate the person to a State unit not tied to a
19 specific determined geographic location, as other State
20 residents with unknown State addresses are allocated.

21 (d) The data prepared by the Secretary of State pursuant to
22 this Section shall be completed and published no later than 30
23 days after the date that federal decennial census data required
24 to be published by Public Law 94-171 is published for the State
25 of Illinois.

1 Section 30. Data; Legislative and Representative
2 Districts. Beginning in 2031, the data prepared by the
3 Secretary of State in Section 25:

4 (1) shall be used only as the basis for determining
5 Legislative and Representative Districts; and

6 (2) shall not be used in the distribution of any State
7 or federal aid.

8 Residences at unknown geographic locations within the
9 State under subsection (c) of Section 25 shall not be used to
10 determine the ideal population of any set of districts, wards,
11 or precincts.

12 Section 97. Severability. The provisions of this Act are
13 severable under Section 1.31 of the Statute on Statutes."