

116TH CONGRESS
1ST SESSION

H. R. 794

To amend title 13, United States Code, to provide that individuals in prison shall, for the purposes of a decennial census, be attributed to the last place of residence before incarceration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2019

Mr. CLAY introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend title 13, United States Code, to provide that individuals in prison shall, for the purposes of a decennial census, be attributed to the last place of residence before incarceration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Correct the Census
5 Count Act”.

6 **SEC. 2. RESIDENCE OF INCARCERATED INDIVIDUALS.**

7 Section 141 of title 13, United States Code, is
8 amended—

1 (1) by redesignating subsection (g) as sub-
2 section (h); and

3 (2) by inserting after subsection (f) the fol-
4 lowing:

5 “(g)(1) Effective beginning with the 2020 decennial
6 census of population, in taking any tabulation of total pop-
7 ulation by States under subsection (a) for purposes of the
8 apportionment of Representatives in Congress among the
9 several States, the Secretary shall, with respect to an indi-
10 vidual incarcerated in a State, Federal, county, or munic-
11 ipal correctional center as of the date on which such cen-
12 sus is taken, attribute such individual to such individual’s
13 last place of residence before incarceration.

14 “(2) In carrying out this subsection, the Secretary
15 shall consult with each State department of corrections to
16 collect the information necessary to make the determina-
17 tion required under paragraph (1).”.

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