

Assembly Bill No. 420

CHAPTER 548

An act to add Section 21003 to the Elections Code, relating to redistricting.

[Approved by Governor October 7, 2011. Filed with
Secretary of State October 7, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 420, Davis. Redistricting.

Existing law, as added by constitutional initiative, establishes the Citizens Redistricting Commission, and charges it with various duties and responsibilities in connection with redistricting Assembly, Senate, Board of Equalization, and congressional districts, as specified. Existing law establishes the Department of Corrections and Rehabilitation, and charges it with various duties and responsibilities in connection with the incarceration and rehabilitation of prisoners, as specified.

This bill would require the Department of Corrections and Rehabilitation to furnish to the Citizens Redistricting Commission, not sooner than April 1, 2020, and not later than July 1, 2020, and in each year of the decennial census thereafter, specified information regarding the last known place of residence, as defined, of each inmate incarcerated in a state adult correctional facility, except an inmate whose last known place of residence is outside of California. The bill also would request the Citizens Redistricting Commission to deem each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration, and to utilize the above information in carrying out its redistricting responsibilities.

The people of the State of California do enact as follows:

SECTION 1. Section 21003 is added to the Elections Code, to read:

21003. (a) (1) Not sooner than April 1, 2020, and not later than July 1, 2020, the Department of Corrections and Rehabilitation shall furnish to the Citizens Redistricting Commission information regarding the last known place of residence of each inmate incarcerated in a state adult correctional facility, except an inmate whose last known place of residence is outside of California.

(2) The information furnished by the Department of Corrections and Rehabilitation pursuant to paragraph (1) shall include the following for each inmate:

(A) A unique identifier, other than the inmate's name or Department of Corrections and Rehabilitation number.

(B) If the Statewide Offender Management System is fully operational on or before April 1, 2020, last known address information that is sufficiently specific to determine the congressional, State Senatorial, State Assembly, or State Board of Equalization district in which the inmate's last known place of residence is located. This information may include, but not be limited to, ZIP Code information or street address information from which a ZIP Code can be derived.

(C) If the Statewide Offender Management System is not fully operational on or before April 1, 2020, last known address information that is as specific as feasible under the Department of Corrections and Rehabilitation's database system.

(3) In 2030 and in each year ending in the number zero thereafter, the Department of Corrections and Rehabilitation shall furnish the information specified in paragraphs (1) and (2) to the Citizens Redistricting Commission not sooner than the decennial Census Day and not later than 90 days thereafter.

(4) For purposes of this subdivision, "inmate incarcerated in a state adult correctional facility" includes an inmate who, as of April 1, 2020, has been transferred to a facility outside of California to complete his or her term of incarceration.

(b) Consistent with Section 2025, the Legislature hereby requests the Citizens Redistricting Commission to deem each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration, and to utilize the information furnished to it pursuant to subdivision (a) in carrying out its redistricting responsibilities under Article XXI of the California Constitution.

(c) For purposes of this section, "last known place of residence" means the address at which the inmate was last domiciled prior to his or her current term of incarceration, as determined from the court records of the county in which the inmate was sentenced to his or her current term of incarceration.