

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 932

By: Johnson (Constance)

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6 AS INTRODUCED

7 An Act relating to congressional and legislative
8 districts; prohibiting certain incarcerated
9 individuals from being included in certain counts
10 used for the purpose of creating certain
11 congressional and legislative redistricting plans;
12 requiring certain incarcerated individuals to be
13 counted at their last known residence before
14 incarceration; requiring the Department to collect
15 certain data at the time of incarceration; requiring
16 the Department of Corrections to collaborate with
17 certain groups for certain purpose; providing for
18 codification; providing for noncodification; and
19 declaring an emergency.

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22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 5.1a of Title 14, unless there
is created a duplication in numbering, reads as follows:

The population count used after each decennial census for the
purpose of creating the redistricting plans for the Oklahoma
Congressional Districts:

1. May not include an individual who:

- a. was incarcerated in a state or federal correctional facility, as determined by the decennial census, and
- b. was not a resident of the state before such person's incarceration; and

2. Shall count an individual incarcerated in a state or federal correctional facility, as determined by the decennial census, at such person's last known residence before incarceration if the individual was a resident of this state.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 80.30a of Title 14, unless there is created a duplication in numbering, reads as follows:

The population count used after each decennial census for the purpose of creating the legislative redistricting plans for the Oklahoma State Senate:

1. May not include an individual who:

- a. was incarcerated in a state or federal correctional facility, as determined by the decennial census, and
- b. was not a resident of the state before such person's incarceration; and

2. Shall count an individual incarcerated in a state or federal correctional facility, as determined by the decennial census, at such person's last known residence before incarceration if the individual was a resident of this state.

1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 127a of Title 14, unless there
3 is created a duplication in numbering, reads as follows:

4 The population count used after each decennial census for the
5 purpose of creating the legislative redistricting plans for the
6 Oklahoma House of Representatives:

- 7 1. May not include an individual who:
 - 8 a. was incarcerated in a state or federal correctional
9 facility, as determined by the decennial census, and
 - 10 b. was not a resident of the state before such person's
11 incarceration; and
- 12 2. Shall count an individual incarcerated in a state or federal
13 correctional facility, as determined by the decennial census, at
14 such person's last known residence before incarceration if the
15 individual was a resident of this state.

16 SECTION 4. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 A. The Department of Corrections shall collect data at the time
19 of incarceration relating to an offender's last known address.

20 B. The Department shall collaborate with families of
21 incarcerated people, other state and federal entities, interested
22 parties, and other states to determine a method and cost for
23 achieving the intent and provisions of this act.

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1 SECTION 5. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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