

114TH CONGRESS
1ST SESSION

H. R. 3838

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.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2015

Mr. JEFFRIES (for himself, Ms. NORTON, Mr. RANGEL, Mr. CLAY, Ms. LEE, Ms. KELLY of Illinois, Mrs. BEATTY, Ms. CLARKE of New York, Ms. BASS, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. BISHOP of Georgia, Mr. RICHMOND, Mr. PAYNE, Ms. ADAMS, Mr. VEASEY, Mr. JOHNSON of Georgia, Mr. HASTINGS, Mr. CLEAVER, Ms. EDWARDS, Ms. PLASKETT, and Mr. RUSH) introduced the following bill; which was referred to the Committee on Oversight and Government 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.

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 “Fairness in Incarcer-
5 ated Representation Act”.

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

2 Section 141 of title 13, United States Code, is
3 amended—

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

6 (2) by inserting after subsection (f) the fol-
7 lowing:

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

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

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