

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB319

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Levine

**3. Committee:** Privileges and Elections

**4. Title:** Redistricting; population data; reallocation of prison populations.

**5. Summary:** Provides for the preparation of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. The bill provides that a person incarcerated in a correctional facility whose legal residence prior to entering custody was located within the Commonwealth will be deemed to reside at such residence, and a person incarcerated in a correctional facility whose legal residence prior to entering custody was located outside of the Commonwealth or whose legal residence prior to entering custody cannot be determined will not be included in the population count for the locality in which the facility is located; instead, such persons shall be allocated to a state unit not tied to a specific determined geographic location in the same manner as other state residents with an unknown address are allocated. Under the current residence criteria of the U.S. Bureau of the Census, incarcerated persons are counted at the facility in which they are incarcerated. The bill directs the Division of Legislative Services to prepare the adjusted population data, and the General Assembly and local governing bodies are required to use this data as the basis for reapportioning and drawing new districts. The Director of the Department of Corrections and the Board of Corrections are required to provide to the Division certain information about each person incarcerated who was incarcerated in a state or local correctional facility on the day the decennial census is taken, April 1 of a year ending in zero, for these purposes. The Division is directed to request such information from each agency operating a federal correctional facility in the Commonwealth, and persons incarcerated in a federal correctional facility for whom a record is not received shall be deemed to have a legal residence prior to entering custody that cannot be determined.

**6. Budget Amendment Necessary:** See item 8.

**7. Fiscal Impact Estimates:** Preliminary.

**8. Fiscal Implications:** The House of Delegates, the Senate of Virginia, and the Board of Elections state that the bill presents no fiscal impact to their respective agencies. The bill is expected to present fiscal impacts to the Division of Legislative Services and the Department of Corrections. These agencies will be contacted to identify the anticipated impacts. An

updated impact statement will be provided as estimates are received.

**9. Specific Agency or Political Subdivisions Affected:** The Division of Legislative Services the Department of Corrections.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This bill is identical to Senate Bill 516, and similar to House Bill 1254.