

House Bill 3326

Sponsored by COMMITTEE ON ELECTIONS, ETHICS AND RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Corrections to determine residency status of inmates in custody of department for purposes of legislative and congressional redistricting. Directs Legislative Assembly or Secretary of State, as applicable, to adjust United States Census Bureau data to reflect residence status of inmates before beginning redistricting process.

For purposes of redistricting, directs Legislative Assembly or Secretary of State to place resident inmate at location of permanent residence and not at location of facility at which inmate is physically located.

A BILL FOR AN ACT

1
2 Relating to redistricting.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 188.010 to**
5 **188.285.**

6 **SECTION 2. (1) As used in this section:**

7 (a) **"Inmate" means a person committed to the physical and legal custody of the De-**
8 **partment of Corrections.**

9 (b) **"Nonresident" means a person who has a domicile or permanent residence, other than**
10 **a department facility, outside of this state.**

11 (c) **"Permanent residence" means a fixed place of abode or fixed domicile, other than a**
12 **department facility, from which an inmate was transferred to the custody of the department,**
13 **that the inmate intends to be the inmate's residence and to which the inmate intends to**
14 **return following release from the custody of the department.**

15 (d) **"Resident" means a person who declares that the person is a resident of this state**
16 **and has a present intent to remain in the state.**

17 (2) **The department shall obtain from all inmates census information upon forms pre-**
18 **scribed by the department by rule. For each inmate, the department shall determine whether**
19 **the inmate is a nonresident or resident. For inmates who are residents, the department shall**
20 **determine the permanent residence of the inmate. The department shall provide the infor-**
21 **mation to the Legislative Assembly and Secretary of State not later than January 1 of the**
22 **year next following the conduct of the United States Census.**

23 (3) **Before apportioning the state in congressional and legislative districts, the Legislative**
24 **Assembly or the Secretary of State, whichever is applicable, shall adjust the decennial census**
25 **information obtained from the United States Census Bureau to reflect the information pro-**
26 **vided under subsection (2) of this section.**

27 (4) **When apportioning the state in congressional and legislative districts, the Legislative**
28 **Assembly or the Secretary of State, whichever is applicable, shall consider resident inmates**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **to have a permanent residence at the location identified under subsection (2) of this section**
2 **and not at the location of the department facility where the inmate is physically located.**

3 **(5) This section does not apply to inmates who may not be released from the custody of**
4 **the department.**

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