

1 A RESOLUTION supporting the inclusion of all residents in the 2020 U.S. Census
2 count.

3 WHEREAS, Article I, Section 2, Clause 3 of the Constitution of the United States
4 of America states, "Representatives and direct Taxes shall be apportioned among the
5 several States which may be included within this Union, according to their respective
6 numbers"; and

7 WHEREAS, Section 2 of the Fourteenth Amendment to the Constitution of the
8 United States states, "Representatives shall be apportioned among the several States
9 according to their respective numbers, counting the whole number of persons in each
10 State, excluding Indians not taxed"; and

11 WHEREAS, Article I, Section 2, Clause 3 of the Constitution of the United States
12 requires that this count of the population of each state be conducted every ten years; and

13 WHEREAS, this count is conducted by the Census Bureau of the United States,
14 Department of Commerce; and

15 WHEREAS, the Census Bureau and the United States Department of Commerce
16 have rightfully adopted the "Residence Rule" which provides that a person qualifies as a
17 state resident for purposes of being included in the census count if that person meets the
18 Census Bureau's definition of "usual residence" described as "where they live and sleep
19 most of the time"; and

20 WHEREAS, application of the "Residence Rule" will result in an accurate counting
21 of the respective numbers of each state as required by the Constitution of the United
22 States; and

23 WHEREAS, the United States Constitution sets forth no requirement that only
24 citizens be included in counting the whole number of persons in each state; and

25 WHEREAS, an accurate counting of all persons residing in the United States is
26 crucial to accurately determine the number of representatives to which each state is
27 entitled in the House of Representatives and to comply with the requirements of Section

1 33 of the Constitution of Kentucky that in determining legislative districts, every district
2 shall be nearly equal in population; and

3 WHEREAS, an accurate counting of all persons residing in the United States,
4 whether citizens or undocumented residents, is crucial to the distribution of fiscal
5 resources to all states, including Kentucky; and

6 WHEREAS, it is estimated that Kentucky receives approximately \$15.8 billion per
7 year in federal funding based upon census-derived statistics, with \$2.7 billion provided
8 for children alone; and

9 WHEREAS, estimates show that 12,568 children under the age of 5 were missed in
10 the 2010 census; and

11 WHEREAS, it has been estimated that 11% of Kentucky children under the age of
12 five, approximately 30,000 children, live in hard-to-count census tracts placing them at
13 risk of not being counted in the 2020 decennial census; and

14 WHEREAS, the exclusion of any individual from the 2020 decennial census will
15 have a detrimental effect on the fiscal resources allotted to Kentucky and, in turn, have a
16 negative impact on our most vulnerable residents;

17 NOW, THEREFORE,

18 ***Be it resolved by the House of Representatives of the General Assembly of the***
19 ***Commonwealth of Kentucky:***

20 ➔Section 1. The House of Representatives hereby declares its support for the
21 inclusion of all residents of Kentucky and the United States of America in the 2020
22 decennial census.

23 ➔Section 2. The House of Representatives denounces the exclusion of any
24 resident of Kentucky or the United States of America based solely upon non-citizenship
25 status.

26 ➔Section 3. The House of Representatives confirms its commitment and
27 dedication to protecting and preserving the rights, civil liberties, and dignity of all

1 residents of Kentucky of these United States.

2 ➔Section 4. The Clerk of the House of Representatives is directed to transmit a
3 copy of this Resolution to the President of the United States, the Kentucky Congressional
4 delegation, and the Secretary of the United States Department of Commerce, 1401
5 Constitution Avenue NW, Washington, DC 20230.