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Special Census— An Effective Tool in Obtaining Federal and State Funding

BY: SHAUNA BILLINGSLEY, *City Attorney, Franklin, Tennessee and*
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Since its inception in 1790, the United States decennial census has determined the apportionment of congressional seats and Electoral College votes among the states and has played a seminal role in the distribution of federal funds across the nation. At the state and local level, however, special censuses can also have a major impact on governmental funding and allocation of resources.

I. The Federal Census.

The United States Constitution requires an "enumeration" of "persons" every 10 years for the purpose of apportioning representatives to Congress and directing taxes among the states according to their respective "numbers."[1] Pursuant to the federal statutory provisions governing censuses,[2] the Secretary of Commerce must, in the year 1980 and every 10 years thereafter, take a decennial census of population as of the first day of April of such year, which date will be known as the "decennial census date," in such form and content as the Secretary may determine, including the use of sampling procedures and special surveys.[3] This tabulation of total population by the states as required for the apportionment of representatives in Congress among the several states must be completed within nine months after the census date and reported by the Secretary to the President of the United States.[4]

Although the United States Constitution mandates only that the census be taken for reapportionment, the census data is used for myriad other purposes.[5] The fact that the Enumeration Clause specifically authorizes only enumeration does not prohibit the gathering of other statistics, if necessary and proper for the intelligent exercise of other powers enumerated in the Constitution.[6] Accordingly, Title 13 of the United States Code, in addition to providing for the regular decennial census of population as required for the apportionment of congressional representatives,[7] and providing for the administration of the census statutes,[8] also contains provisions for:

- The taking of a "mid-decade" census;[9]
- The collection and publication of statistics on foreign commerce and trade;[10] cotton;[11] oilseeds, nuts, kernels, fats, oils and greases;[12] apparel and textiles;[13] defective, dependent, and delinquent classes, and crime;[14] and religion;[15]
- Quinquennial (five year) censuses of manufacturers, mineral industries, and other businesses;[16]
- Quinquennial censuses of state and local governments;[17]
- Various offenses relating to the census, such as false returns by census officers and employees,[18] and the refusal or neglect by private individuals and organizations to furnish the required information.[19]

II. Special Census Provisions.

First conducted in 1915, although authorized since 1903, the special census is conducted upon the request of a local government in the interim between two official U.S. Censuses. It tallies a local government's population, number of housing units, and "Group Quarters" (a single location populated by multiple unrelated people, such as a nursing home or college). The local government unit requesting the special census is responsible for the cost.

The Secretary of Commerce may conduct special censuses for the government of any state, or of any county, city, or other political subdivision within a state, for the government of the District of Columbia, and for the government of any possession or area (including political subdivisions thereof) referred to by statute, on subjects covered by the censuses provided for in the federal census laws, upon payment to the Secretary of the actual or estimated cost of each such special census.[20]

The results of each such special census will be designated "Official Census Statistics," and these statistics may be used in the manner provided by applicable law.[21]

The Bureau of the Census is author-ized to conduct special population censuses at the request of and at the expense of the community concerned. To obtain a special population census, an authorized official of the community should write a letter to the Associate Director for Demographic Fields, requesting detailed information and stating the approximate present population. The Associate Director will reply giving an estimate of the cost and other pertinent information. As noted above, the locality is required to pay the Bureau for the actual or estimated cost of each such special census.[22]

A. State Statutes Regarding Special Census.

State law provides additional parameters governing the timing, mechanics and applicability of the special census. Tennessee is emblematic: Tennessee Code provides that a municipality shall have the right to take no more than four special censuses at its own expense between the regular decennial federal census.[23] The census shall be taken by the federal bureau of the census, or in a manner directed by and satisfactory to the department of economic and community development. The population of the municipality shall be revised in accordance with the special census for purposes of distribution of funds, effective on the next July 1, following the certification of the census results by the federal bureau of the census or the department of economic and community development to the commissioner of finance and administration. The aggregate population shall likewise be adjusted in accordance with the special census, effective on the next July 1, following the certification of the census results by the federal bureau of the census or the department of economic and community development to the commissioner of finance and administration; provided, that any other special census of the entire municipality taken in the same manner provided in this section, under any other law, shall be used for the distribution of the funds, and in that case, no additional special census shall be taken under this section.[24]

B. Benefits of Special Census: Considered as Federal Census in Many Situations.

When a local government believes there may have been an unusually large population change in their jurisdictional limits, a special census may be economically beneficial. A certified official population increase resulting from the special census potentially can produce an increase in state revenue sharing or other benefits. In many cases, the cost to the local government is more than offset by the increase in revenue. Similar to the Federal Census, in a special census, the public is protected by Title 13, U.S.C. as to their personally identifiable information. Only authorized U.S. Census Bureau employees may see their personally identifiable information. Results that could be used to identify an individual are not released. Census employees, including those hired on a temporary basis swear an oath that they will not disclose any information gathered about individuals or businesses.

Given this regulatory framework, special censuses have satisfied the requisites for a "federal census" in a variety of instances:

In Alabama, the court applied a special federal census in determining whether a city could conduct a "wet-dry" referendum based on its population as shown by such census.[25] State law permitted a local-option election for the sale of intoxicating liquor in cities with a population of more than 7,000 persons, but the statute was silent as to how such population should be determined.[26] A special federal census of the city taken by the United States Bureau of the Census in September 1986 showed that the city had a population of 7,403.[27]

The city proposed to conduct a "wet-dry" referendum in conjunction with the November 1986 general election based on such census, and the proposed election was challenged.[28] The court permitted the election to be held, at which the sale of intoxicating liquor in the city was approved.[29] The court held that the local-option statute did not require reference to the federal Decennial Census, that the 1986 special federal census was sufficient to establish the city's population thereunder, and that the election founded upon the city's population as shown by such census was therefore valid.[30]

In Arizona, the state supreme court held that a proposed special federal census, and not the federal Decennial Census of 1950, would be applied in determining a city's proper allocation

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of state sales tax revenues.[31] Arizona Rev. Stat. § 1341 required the state treasurer to remit 10 percent of the state's privilege sales-tax revenues to various municipalities in the state in proportion to their population as shown by "the most recent United States census." The taking of a special census by the federal bureau of the census was authorized by federal statute, 13 U.S.C.A. § 8, and the city proposed that such a census be taken. The court held that the phrase "most recent United States census," and the phrase "federal census" as used in a 1956 revision, refers to the most recent census of the Federal Government and not only the most recent federal Decennial Census.[32] Subsequent to 1950, the city had experienced extraordinary growth with the reopening of a local mine and the reactivation of a local military installation.

In California, a court applied a special federal census in determining whether a city was entitled to establish a municipal court according to its population as shown by such census.[33] The state constitution authorized chartered cities with a population of more than 40,000 inhabitants, as ascertained by the "last preceding census taken under the authority of Congress," to establish a municipal court. The court held that a census taken in 1948 by the United States at the request of the city was sufficient under such provision, since it was officially taken and the result was officially announced and certified by the Director of the Bureau, noting that express statutory authority for the taking of the census was not essential when the power is necessarily implied and included in the authority expressly granted, and that, where the legislature had elsewhere intended reference to the federal Decennial Census only, it had expressly so provided.[34]

In Nebraska, the court held that where an area is annexed to a city subsequent to the "most recent federal census" its population must be considered in subsequent redistricting, and where boundary lines between voting districts differ from boundary lines of census enumeration districts, the census figures from the 1974 special census could not be applied directly but must be applied indirectly by interpretation or supplemented by other evidence.[35] In this case, the court applied the census of an annexed housing development taken by the city and expert testimony of its population to supplement figures from the 1974 special census and uphold the city's redistricting plan based on such evidence.[36] In doing so, the court noted that where the most recent federal census does not contain detailed block by block information sufficient to determine the population of a specific portion of a census enumeration district, any material relevant evidence may be admitted to establish that population.[37]

In New York, the court applied a special census of a county taken in 1957, showing a county population of more than 1,000,000, and not the federal Decennial Census of 1950 showing a population of 672,675, in determining the appropriate method of nominating party candidates for municipal office based on the county's population as shown by such census.[38] State election law provided that such local nominations be made by primary election in counties having a population of more than 750,000 inhabitants, but the statute, N.Y. Elec. Law § 131(5), was silent as to how such population should be determined. "Population" was defined in the state's general construction law as that shown "by the latest federal or state census or enumeration preceding the time as of which such population is to be determined."[39] The court concluded that neither the state's election law nor general construction law required that population be ascertained alone by the last federal Decennial Census and noted that there was no challenge as to the accuracy of the special census taken nor was it disputed that it was an official census taken by the United States Bureau of the Census, and that such was clearly the "latest federal census" for purposes of the state's general construction law, and should also be adopted under the state's election law.[40]

In Washington, the court applied a 1954 determination of a city's population made by the state census board, rather than the federal Decennial Census of 1950, in determining whether the city could establish a municipal court based on its population as shown by such determination.[41] A state statute enacted in 1955 provided for the creation of municipal courts in cities of 500,000 or more in population, as shown by the most recent "federal or state census."[42] A later section of the same act provided for an additional municipal-court judge for each additional 150,000 inhabitants, as determined by the most recent federal census or state census as provided by the state census board. State law passed in 1951 created a state census board with the duty to determine the population of each city and town in the state and to file a report of such determination with the Secretary of State, which enumeration would be "final and conclusive."[43] According to a certificate filed by the census board, the city was shown to have a population of 548,000 as of April 1, 1954. Based on such population, the city adopted an ordinance creating a municipal court under the 1955 act, and both the ordinance and the act were challenged. The court held that, in the absence of a contrary legislative intent, the words "state census" in both sections of the 1955 act referred to a finding of population made by the state census board, not the decennial state census provided for in the state constitution, Wash. Const. Art. § 3, but which the legislature had never caused to be

A governmental unit can add questions to the special census questionnaire; however, the questions must be in accordance with subjects covered by the censuses, as provided for in Title 13, United States Code. Areas may benefit from collecting and analyzing information about housing, transportation, or land use.

taken.[44] Thus, the 1954 certificate filed by the census board constituted a "state census" for purposes of the 1955 act and showed sufficient population to permit the city to establish a municipal court under such act, determined the court.

C. Special Census Not Applied as a Federal Census.

In contrast to the above cases, there are also many instances where a special census has been found inadequate for statutory purposes.

In Iowa, the court declined to apply a special federal census in determining a city's portion of state road-tax revenues.[45] State law required the state treasurer to apportion a percentage of the state's road tax to municipalities in the ratio that their population, as shown by the "latest available federal census," bears to the total population of all cities in the state.[46] A special census of a city was taken in 1954 by the United States Bureau of the Census pursuant to federal statute.

The city then requested that subsequent road-tax allocations be based upon such census, and the state treasurer refused, relying instead on the federal Decennial Census of 1950 as the last statewide census for such purpose. In denying the city's claim, the court held that the 1954 special census was a "federal census" but that the "latest available federal census" for purposes of the statute insofar as the total population of all cities and towns in the state was concerned was the 1950 federal Decennial Census.[47]

In Minnesota, the court applied the federal census of 1950, rather than a special federal census taken in 1954, in determining a city's share of state cigarette- and liquor-tax revenues.[48] State law required that such taxes be apportioned to cities according to the relative population of each as determined by each federal census, or by an incorporation census taken of newly incorporated municipalities.[49]

A city filed suit under the above provisions to require the secretary of state to certify results of a special federal census taken of the city in 1954 and to require state officials to apportion and distribute such taxes based on city population as shown by such census. The court concluded that a city's population for purposes of the distribution could not be determined according to a special federal census, noting that the function of the census is to determine the appropriate tax distribution rate, and it can be useful under these statutes only when it provides the population of each political subdivision determined at the same time and for the same purpose, which can be added together to determine the total population of the state.[50]

In Oklahoma, the court applied a census taken by county assessors in 1908, and not a special federal census taken in 1907, in determining the compensation of a county treasurer subsequent to July 1, 1908, based on the county's population as shown by such census.[51] A statute provided the county treasurer an annual compensation of $800 in counties with a population of 10,000 or less, and $1,500 in counties with a population of more than 10,000 and no more than 15,000.[52] A statute also provided for the taking of a biennial census of counties by county assessors.[53] A special federal census was taken of the county in 1907, showing a county population of less than 10,000. Oklahoma was then admitted to statehood, and the first Oklahoma Legislature provided that such census would be controlling "until the next federal census, or until the census should be taken under the laws of the state and of all counties and subdivisions thereof for all official purposes."[54] The first biennial census of the county taken in June 1908 showed a county population of between 10,000 and 15,000 inhabitants. The court held that the county census of June 1908 would apply in determining the compensation of the county treasurer from July 1, 1908, even though his term of office had begun in November 1907 with a compensation as then determined under the federal special census of 1907.[55]

In Wyoming, the court applied the federal Decennial Census of 1950, rather than a special federal census taken in 1957, in determining a city's statutory share of state gasoline-license tax revenues.[56] State law provided that a portion of such tax revenues be apportioned to cities and towns in the state in the ratio which their population bears to the total population of all cities and towns, "according to the last available Federal census."[57] In an action to compel the state treasurer to distribute such revenues to the city based on its population as shown by a special federal census taken in 1957, the court concluded that the term "ratio" in the statute required that the same census

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Special Census *cont'd from page 9*

should apply to all cities and towns.[58] Thus, a special federal census would control as to the internal affairs of a city, but such census could have no effect on the statewide distribution of gasoline taxes, even though it was the last available federal census taken of such city, held the court.[59]

III. How to Conduct a Special Census.
A. Starting the Process and Costs.
The special census program is available to all local and tribal governments that desire a more up to date population count and related statistics. To begin the process, a governmental unit must request an official cost estimate from the Census Bureau. The cost estimate will outline all anticipated costs to the governmental unit for staffing, materials, data processing, and tabulation. Included with the cost estimate will be a Memorandum of Understanding. If the governmental unit decides to conduct the special census in its community, a signed Memorandum of Understanding and initial payment must be transmitted to the Census Bureau. Upon receipt, the special census process begins.

The local government is responsible for the cost of conducting a special census. The new data provided by a special census is designated as Official Census Statistics and may be used in a manner provided for by applicable law, including achieving an increase in revenue sharing. The special census questionnaire is virtually the same as the Census short form.

The special census cost estimate request packet asks if the governmental unit prefers to conduct a full or partial special census. A full special census means that the governmental unit desires its entire jurisdiction, including newly annexed areas, be included in the count. For a full special census, the governmental unit must include its estimated population and housing unit counts for the entire jurisdiction as of the projected date of enumeration. A partial special census means that the governmental unit desires only a portion of the governmental unit included in the count. Partial special census cost estimates require that the governmental unit identifies the specific geography the governmental unit desires to be included in the count using Census block and tract numbers.

The special census program has been totally redesigned in the past 20 years. In 2000 the program began to use the update/enumerate methodology. The update/enumerate methodology improved the quality of the data by using the Census Bureau's Master Address File (MAF). The MAF is kept current through periodic updates from the United States Postal Services' Delivery Sequence File. This element is particularly important, because it ensures the quality and timeliness of the address list.

Data collection for a special census is conducted using an update/enumerate methodology. During update/enumerate, enumerators canvass their assignment areas using census maps and address registers that contain addresses and location information for housing units. The enumerators update the address lists and census maps by adding housing units not already listed, making corrections to address information, updating maps with feature changes, and deleting listings that do not exist. The Special Census Enumerator Questionnaire is similar to the 2010 Census short form. The Special Census Enumerator Questionnaire is used to collect data on all persons living in a household.

If requested on the Special Census Cost Estimate Form, during Special Census operations the Census Bureau will also enumerate people living in Group Quarters--as referenced above, structures housing multiple unrelated people. Some examples of Group Quarters include colleges, hospitals, correctional facilities, nursing homes, and military installations. Group Quarters may contain regular housing units as well.

For Group Quarters enumeration, governmental units complete an Individual Census Report (questionnaire) for each individual housed in a particular unit. The questionnaire used is also similar to the 2010 Census short form, except there is only one person's data on each form. After the 2020 Census, special census forms will be similar to the 2020 Census short form. People living in Transitory Locations are also counted. Transitory Locations are places inhabited by people who have no usual home elsewhere. Transitory Locations are Recreational Vehicle (RV) parks (not mobile home parks), Marinas, Commercial and/or public Campgrounds, Racetracks, Carnivals, and some Hotels or Motels (with long term residents).

A governmental unit can add questions to the special census questionnaire; however, the questions must be in accordance with subjects covered by the censuses, as provided for in Title 13, United States Code. Areas may benefit from collecting and analyzing information about housing, transportation, or land use. The fee to conduct a special census with added questions would increase, to allow for collection and processing of those questions. Also, new questions added to the questionnaire will be subject to the Office of Management and Budget (OMB) form approval process.

The state, local, or tribal government will be responsible for recruiting candidates for the special census. Hiring will be accomplished similar to the way the Census Bureau hires field representatives for surveys. Special Census Program staff will provide procedures and support in publicizing and recruiting for the special census. Testing, hiring, and training candidates will be the responsibility of the Special Census

The Decennial Census is comprised of a very complex series of operations that demand a significant amount of work and staff resources. As a result, staffing critical to the success of the Special Census Program are unavailable during the two years immediately before and after a Decennial Census.

Program staff. Paychecks will be issued by the sponsoring government entity at prevailing pay rates. Pay rates are currently proposed to be 65 percent of local Bureau of Labor Statistics average wage for the county where the special census is located; these rates may, however, be raised or lowered depending on local conditions.

Typically a community conducts its own census of its residents, but some seek the assistance of the special census section at the U.S. Census Bureau.[60] For self-enumeration, typical tasks can include:

- Advance outreach and marketing to inform residents;
- Developing address lists;
- Contacting residents; and
- Door-to-door follow-up to non-respondents.

The special census is typically on hiatus two years before and two years after the Decennial Census. During this time program materials and systems are updated. The Decennial Census is comprised of a very complex series of operations that demand a significant amount of work and staff resources. As a result, staffing critical to the success of the Special Census Program are unavailable during the two years immediately before and after a Decennial Census.

The governmental unit will receive a signed letter from the Director of the U.S. Census Bureau confirming that the jurisdiction's Special Census population and housing counts are "Official Census Statistics." In addition to this letter, the governmental unit also receives electronic files that show population and housing counts by block, and one-page demographic profiles for the governmental unit and associated tracts or part tracts. Standard information includes age, sex, relationship, race, Hispanic origin, occupancy or vacancy status, type of vacancy, and tenure for housing units. Most governmental units prefer these data in electronic Excel or PDF formats, although paper reports can be provided upon request. Additional data at the tract level are provided in ASCII format that allows the governmental unit to import the data into other software programs that allow the creation of customized reports.

B. Lexington, South Carolina's Story. The Town of Lexington began to consider its special census in the spring of 2005 and made its official request of the U.S. Census Bureau in June of 2005. Final updated population statistics were received in June of 2006, constituting a period of almost exactly one year from onset to finish. (Of course, larger jurisdictions may take longer to enumerate, and smaller ones may not take as long).

Here is a timeline of the Town of Lexington's experience:

June 2005:
Council approved special census by ordinance and sent payment to Census Bureau (approximately $220,000);

July 2005:
Received preliminary maps from Census Bureau and returned them;

August 2005:
Received final maps, approved and returned them to Census Bureau;

September 2005:
Began recruitment;

November 2005:
Applicant training;

January 2006:
Opened Census Office;

February 2006:
Launched educational campaign for residents and began enumeration;

March 2006:
Received preliminary population count;

June 2006:
Received final certified population count;

July 2006:
Deadline for funding for FY 2007.

The special census revealed a population increase of around 47%. From the increase in "Aid to Subdivisions" alone, the Town recovered the entire cost of conducting the special census in five quarters: the special census data increased "Aid to Subdivisions" income by a net amount of at least $550,000. The other sources of income also increased but not as significantly.

C. Franklin, Tennessee's Story. Tennessee statutes permit a city to conduct up to four citywide special censuses each decade.[61] A county may conduct up to two countywide censuses during the same time frame.[62] Depending on the purpose of the special census, additional restrictions on the number of special censuses may apply.

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Special Census *cont'd from page 11*

The procedures document provides an overview of other instances and provides references to the relevant portions of the Tennessee Code. In Tennessee, there are three primary deadlines a community must adhere to in order to receive certification from TNECD:

- January 1: Deadline to submit a letter of intent to the Boyd Center for Business and Economic Research (a unit of University of Tennessee-Knoxville);
- March 1: Deadline to submit special census documentation for review and field verification; for review and field verification
- May 15: Deadline to submit special census documentation to the Boyd Center.

Approval of a special census is a multi-layered review involving the program administrators, field checks and ultimately certification by TNECD for incorporation into Certified Population of Tennessee Incorporated Municipalities and Counties that becomes effective each July.

Tennessee's nine Development Districts play in important role in this regard, verifying the completeness and accuracy of a special census. Through arrangements with the community conducting the census, a Development District is contracted to conduct a random check of households; polling at least ten percent of the residents listed in the census to ensure error does not exceed five percent.

The City of Franklin experienced tremendous growth from 2010-2020. According to the 2010 Census, Franklin had a population of 62,487. In 2013, Franklin initiated the steps to begin a special census. Franklin budgeted $80,000 for the special census and entered into a contract in the amount of $3,600 with Comcast to advertise the special census on Franklin's PEG (public, educational or goverrnmental) channel. In that year, for every person counted, Franklin would receive approximately $100 in state shared funding. The special census was completed, and the numbers verified by a third party in 2014. Franklin was able to verify a population of 66,335, which was an increase of 3,848 residents, resulting in an additional $384,800 in funding. While we ran information on our PEG channel, it did not specifically reach out to residents. We learned that citizens were not very trusting of a special census since most had not heard about it, and we encountered particular issues with apartment complexes allowing census takers into the facility.

Due to its continuing growth, in 2016 Franklin decided to conduct another special census, and was much more deliberate in notifying and educating the public, using billboards to disseminate information and providing giveaways to those who participated. Franklin used YouTube[63] and Facebook and ran PSAs (public service announcements) explaining the special census and why Franklin was going through the process.[64] Franklin also asked the local paper to get involved and was able to get an article written about the special census.[65] Franklin budgeted $100,000 for the second special census. In that year, for every person in the county, Franklin would receive approximately $120 in state shared funding. The special census was completed, and the numbers were verified by a third party and City staff in 2017. Franklin was able to verify a population of 71,371, which was an increase of 5,036 residents, resulting in approximately $604,320 in additional funding.

Success required thinking outside the box, and census volunteers went where the people were. Rotarian volunteers set up tables at baseball games and were able to get many families counted. Franklin deployed its own municipal employees to walk neighborhoods, paying them overtime. The PSAs explained that volunteers in the neighborhoods would be wearing certain shirts and were city employees. Once the census numbers were in, Franklin used a third party, Upper Cumberland Development District, to verify the numbers, under a fixed-price contract requiring them to cover all costs.

(Despite the PSAs, many residents were suspicious of those claiming to work for the government and wanting personal information, and gaining access to apartment complexes, especially those that are gated, proved difficult).

D. Key Ingredients to an Economical Special Census

Based on the experiences of Lexington and Franklin, we have concluded the following about a special census:

- The earlier the better in a typical census cycle for a special census to be conducted;
- A significant population growth, approaching 25% or more, may be needed to make a special census economically beneficial; and
- The city or town staff must embark upon a coordinated promotional and educational campaign to help residents understand why the municipality is paying for its own special census and must be prepared for public response once the count is completed.

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Notes

1. U.S. Const. art. I, § 2, cl. 3.
2. 13 U.S.C.A. § 1 to 402.
3. 13 U.S.C.A. § 141(a) (West).
4. 13 U.S.C.A. § 141(b) (West).
5. City of Los Angeles v. U.S. Dep't of Commerce, 307 F.3d 859 (9th Cir. 2002).
6. Morales v. Daley, 116 F. Supp. 2d 801 (S.D. Tex. 2000).
7. 13 U.S.C.A. § 141(a) to (c) (West).
8. 13 U.S.C.A. § 1 to 26.
9. 13 U.S.C.A. § 141(d) (West).
10. 13 U.S.C.A. § 301 to 307.
11. 13 U.S.C.A. § 41 to 45 (West).
12. 13 U.S.C.A. § 61 to 63 (West).
13. 13 U.S.C.A. § 81 (West).
14. 13 U.S.C.A. § 101 (West).
15. 13 U.S.C.A. § 102 (West).
16. 13 U.S.C.A. § 131, 132 (West).
17. 13 U.S.C.A. § 161 (West).
18. 13 U.S.C.A. § 211 to 214 (West).
19. 13 U.S.C.A. § 221 to 225 (West).
20. 13 U.S.C.A. § 196 (West).
21. 13 U.S.C.A. § 196 (West).
22. 15 C.F.R. § 50.10.
23. Tenn. Code Ann. § 6-51-114 (West).
24. *Id.*
25. Dennis v. Pendley, 518 So. 2d 688 (Ala. 1987).
26. *Id.*
27. *Id.*
28. *Id.*
29. *Id.*
30. *Id.*
31. City of Bisbee v. Williams, 83 Ariz. 141, 317 P.2d 567 (1957).
32. *Id.*
33. City of Compton v. Adams, 33 Cal. 2d 596, 203 P.2d 745 (1949).
34. *Id.*
35. Pelzer v. Bellevue, 200 Neb 541, 264 NW2d 653 (1978).
36. *Id.*
37. *Id.*
38. Application of Burns, 9 Misc. 2d 360, 167 NYS2d 304 (1957).
39. N.Y. Gen. Constr. Law § 37-b.
40. *Application of Burns, supra* note 38.
41. De Grief v. Seattle, 50 Wash 2d 1, 297 P2d 940 (1956).
42. 1955 Wash. Laws 290, §§ 1 et seq.
43. Wash. Rev. Code § 43.62.030.
44. *De Grief, supra* note 47.
45. Harp v. Abrahamson, 248 Iowa 222, 80 N.W.2d 505 (1957).
46. Iowa Code Ann. § 312.3 (West).
47. *Harp, supra* note 45.
48. City of St. Louis Park v. King, 246 Minn. 422, 75 N.W.2d 487 (1956).
49. Minn. Stat. Ann. § 297.13 (West); Minn. Stat. Ann. § 340.60 (West).
50. *City of St. Louis Park, supra* note 48.
51. Bd. of Comm'rs of Delaware County v. Williams, 1913 OK 539, 38 Okla. 738, 135 P. 420 (1913).
52. Wilson's Rev & Ann St. § 3024..
53. Wilson's Rev & Ann St. § 3028.
54. 1907-1908 Okla. Sess. Laws 165.
55. *Bd. of Comm'rs of Delaware County, supra* note 51.
56. State ex rel. City of Casper v. Morgan, 80 Wyo. 1, 336 P.2d 791 (1959).
57. Wyo. Stat. § 32-2408 (1945).
58. *City of Casper, supra* note 56.
59. *Id.*
60. https://www.census.gov/programs-surveys/specialcensus/how_to_conduct.html
61. Tenn. Code Ann. § 6-51-114 (West).
62. https://tnsdc.utk.edu/special-census/
63. https://www.youtube.com/watch?v=6mEON1I3h9k
64. https://www.franklintn.gov/Home/Coomponents/News/News/5790/1354?npage=35&seldept=14&arch=1
65. https://www.tennessean.com/story/news/local/williamson/2017/03/16/special-census-bring-500000- franklin/99250578/

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