

AMENDED IN ASSEMBLY JUNE 16, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 24, 2025

AMENDED IN SENATE APRIL 10, 2025

AMENDED IN SENATE APRIL 7, 2025

SENATE BILL

No. 518

Introduced by Senator Weber Pierson

(Coauthors: Senators Richardson and Smallwood-Cuevas)

(Coauthors: Assembly Members Bonta, Bryan, Elhawary, Gipson,
Jackson, McKinnor, Ransom, Sharp-Collins, and Wilson)

February 19, 2025

An act to amend Section 15002.5 of, and to add Chapter 4 (commencing with Section 15210) to Part 6 of Division 3 of Title 2 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 518, as amended, Weber Pierson. Descendants of enslaved persons: reparations.

Former law, *Chapter 319 of the Statutes of 2020*, until July 1, 2023, established the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States (Task Force).

Former law required the Task Force, a task force to, among other things, to identify, compile, and synthesize the relevant corpus of evidentiary documentation of the institution of slavery that existed within the United States and the colonies, as specified, and to

recommend the form of compensation that should be awarded, the instrumentalities through which it should be awarded, and who should be eligible for this compensation.

This bill would establish the Bureau for Descendants of American Slavery within the Department of Justice, under the control of the director, who would be appointed by the Attorney General and confirmed by the Senate. The bill would require the bureau, as part of its duties, to ~~determine how~~ *verify* an individual's status as a descendant ~~would be confirmed. The bill would also~~ *and would* require proof of an individual's descendant status to be a qualifying criterion for benefits authorized by the state for descendants. To accomplish these goals, the bill would require the bureau to be comprised of a Genealogy Division, a Property Reclamation Division, an Education and Outreach Division, and a Legal Affairs Division. *The bill would impose various requirements on the bureau relating to the collection, storage, and disclosure of personal and genetic information, as specified.* The bill would impose specified duties on the Property Reclamation Division to accept, review, and investigate applications, to determine whether an applicant is a dispossessed owner, and, if so, to determine whether and what type of property or just compensation is warranted, as defined and specified. In this regard, the bill would require a local entity, upon a determination that issuing property or just compensation is warranted, to recommend publicly held properties suitable as compensation. By imposing new duties on local entities, this bill would impose a state-mandated local program.

This bill would authorize the state or local entity that took the property to provide compensation in accordance with the division's determination. If the state or local entity does not provide compensation, the bill would authorize a dispossessed owner to bring a claim for compensation and to assert any legal claim that would have been available to the property owner at the time of the taking.

This bill would make implementation of its provisions contingent upon appropriation by the Legislature, as specified.

This bill would include findings and declarations relating to a gift of public funds.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 15002.5 of the Government Code is
2 amended to read:

3 15002.5. Except as provided in Chapter 4 (commencing with
4 Section 15210), the Attorney General may arrange and classify
5 the work of the Department of Justice, and consolidate, abolish,
6 or create divisions, bureaus, branches, sections, or units within the
7 department. Any statutory or other reference to the Office of the
8 Attorney General, the State Bureau of Criminal Identification and
9 Investigation, the Division of Law Enforcement, or the Bureau of
10 Gambling Control shall be construed to refer to the division,
11 bureau, branch, section, or unit within the department which is
12 performing the functions referred to; and no such function shall
13 be abolished without express statutory authority.

14 SEC. 2. Chapter 4 (commencing with Section 15210) is added
15 to Part 6 of Division 3 of Title 2 of the Government Code, to read:

16
17 CHAPTER 4. BUREAU FOR DESCENDANTS OF AMERICAN SLAVERY

18
19 Article 1. General
20

21 15210. (a) It is the intent of the Legislature in establishing the
22 bureau to establish an initial framework and it is the intent of the
23 Legislature that the scope and responsibilities of the bureau may
24 expand as necessary to fulfill its mission and address additional
25 harms as identified.

(b) It is the intent of the Legislature that, as the bureau expands its scope in the future, it shall ~~also advise on reparative remedies to address~~ *do both of the following:*

(1) *Address the lasting harms of disenfranchisement, segregation, discrimination, exclusion neglect, violence, and the persistent consequences of this legacy that impacts both descendants and nondescendants, and violence impacting both descendants and communities harmed as described in Chapters 1 to 13, inclusive, of the California Reparations Report.*

(2) *Advise on reparative remedies to target the persistent consequences of this legacy, guided by Chapters 14 to 33, inclusive, of the California Reparations Report.*

(c) Implementation of this chapter shall be contingent upon appropriation of sufficient funding by the Legislature in the annual Budget Act or other statute for that purpose.

15211. For purposes of this chapter:

(a) “Bureau” means the Bureau for Descendants of American Slavery.

(b) “Descendants” means ~~descendants of an African American chattel enslaved person in the United States, or descendants of a free Black person living in the United States prior to the end of the 19th century;~~ *individuals who can establish direct lineage to a person who, prior to 1900, was subjected to American chattel slavery and meets at least one of the following criteria:*

(1) *Was emancipated through legal or extralegal means, including self-purchase, manumission, legislative action, military service, or judicial ruling.*

(2) *Obtained freedom through gradual abolition statutes or constitutional amendments.*

(3) *Was classified as a fugitive from bondage under federal or state law.*

(4) *Was deemed contraband by military authorities.*

(5) *Rendered military or civic service while subject to legal restrictions based on ancestry historically associated with slavery.*

(c) “Director” means the Director of the Bureau for Descendants of American Slavery.

(d) “Racially motivated eminent domain” means when the state, county, city, city and county, district, or other political subdivision of the state acquires private property for public use and does not distribute just compensation to the owner at the time of the

1 acquisition, and the acquisition or the failure to provide just
2 compensation was due, in whole or in part, to the owner's ethnicity
3 or race.

4 15212. (a) Notwithstanding Section 15002.5, the Bureau for
5 Descendants of American Slavery is hereby established within the
6 Department of Justice. The bureau shall be under the direct control
7 of a director who shall be responsible to the Attorney General.

8 (b) The director shall be appointed by the Attorney General and
9 confirmed by the Senate, and shall perform all duties, exercise all
10 powers, assume and discharge all responsibilities, and carry out
11 and effect all purposes vested by law in the bureau.

12 (c) The salary of the director shall be fixed pursuant to Section
13 12502.

14 (d) The bureau shall establish a mission statement consistent
15 with the recommendations from the former ~~Task Force to Study~~
16 ~~and Develop Reparation Proposals for African Americans, with a~~
17 ~~Special Consideration for African Americans Who are Descendants~~
18 ~~of Persons Enslaved in the United States. reparations task force~~
19 ~~established pursuant to Chapter 319 of the Statutes of 2020.~~

20 15213. As part of its duties, the bureau shall ~~determine how~~
21 ~~verify an individual's status as a descendant shall be confirmed.~~
22 ~~descendant.~~ Proof of an individual's descendent status shall be a
23 qualifying criterion for benefits authorized by the state for
24 descendants. To accomplish these goals, the bureau shall include
25 all of the following divisions:

26 (a) A Genealogy Division to do all of the following:

27 (1) Establish a process to certify descendants of American
28 slaves.

29 (2) Create a method for eligible individuals to submit claims
30 and receive compensation or restitution for those particular harms
31 California inflicted upon the claimant or their family.

32 (3) Establish an equitable alternative qualifying criterion for
33 benefits for descendants authorized by the state in cases where an
34 individual's status as a descendant cannot be confirmed or proven.

35 (b) A Property Reclamation Division to do all of the following:

36 (1) Research and document California state properties acquired
37 as a result of racially-motivated eminent domain, including
38 properties that no longer exist due to state highway construction
39 or other development.

(2) Create a database of property ownership in the state identifying properties acquired through racially motivated eminent domain or other discriminatory government action.

(3) Review and investigate public complaints from people who claim their property was taken without just compensation, pursuant to Article 2 (commencing with Section 15215).

(4) Address cases where individuals experienced harm due to the policies and practices of state and local agencies.

(c) An Education and Outreach Division to develop and implement a public education campaign regarding the cycle of gentrification, displacement, and exclusion; the connection between redlining and gentrification; and the history of discriminatory urban planning in California.

(d) A Legal Affairs Division to do all of the following:

(1) Provide legal advice, counsel, and services to the bureau and its officials.

(2) Ensure that the bureau's programs are administered in accordance with applicable legislative authority.

(3) Advise the head of the bureau on legislative, legal, and regulatory initiatives.

(4) Serve as an external liaison on legal matters with other state agencies and other entities.

(5) Conduct a review of past and current laws, as well as proposed legislation, to determine whether those measures have caused, are causing, or may continue to cause harm. The division shall provide recommendations to mitigate or eliminate any harm identified in its review.

15214. (a) Nonpublic personal and genetic information held under the bureau's authority shall be collected, held, and disclosed only as relevant and necessary to accomplish the purposes set forth in this chapter and in a manner permitted by and consistent with federal and California data privacy laws.

(b) Before asking individuals to supply information for its system of records, the bureau shall inform each individual of all of the following:

(1) The authority which authorizes the solicitation of the information and whether disclosure of that information is mandatory or voluntary.

(2) The principal purpose or purposes for which the information is intended to be used.

1 (3) *The routine uses that may be made of the information.*

2 (4) *The effects on the individual, if any, of not providing all or*
3 *any part of the requested information.*

4 (c) *The bureau shall not disclose any data contained in its*
5 *system of records by any means of communication to any person*
6 *except as necessary to fulfill the purposes of this chapter and*
7 *pursuant to either a written request by, or the written consent of,*
8 *the individual to whom the record pertains. Intragency,*
9 *interagency, or public disclosure shall not be permitted without*
10 *that written authorization.*

11
12 Article 2. Property Reclamation Division
13

14 15215. (a) The Legislature finds and declares that it is in the
15 public interest to compensate victims of racially motivated eminent
16 domain, which deprived citizens of just compensation for their
17 property due to racially discriminatory motives. The unjust taking
18 of land without fair compensation destroyed communities, forced
19 many from their historical neighborhoods, deprived those persons
20 of the fair value of their property, and, in many cases, prevented
21 the accumulation of generational wealth. Providing compensation
22 to these victims of racial discrimination will restore the value of
23 wrongfully taken property to dispossessed owners and hold
24 government entities responsible for those wrongful discriminatory
25 acts.

26 (b) This article shall govern the procedure by which dispossessed
27 owners and their descendants may seek a determination that they
28 were the victims of racially motivated eminent domain and seek
29 the return of the taken property, other property of equal value, or
30 financial compensation.

31 15216. For purposes of this article, the following definitions
32 apply:

33 (a) “Dispossessed owner” means a person who has had property
34 taken from them as a result of racially motivated eminent domain
35 or a direct descendant of the person whose property was taken.

36 (b) “Publicly held property” means property that is owned by
37 the state or by the local agency that took possession of the property
38 that is the subject of an application submitted pursuant to this
39 article.

1 15217. The Property Reclamation Division within the Bureau
2 for Descendants of American Slavery shall do all of the following:

3 (a) Accept applications from persons who claim they are the
4 dispossessed owner.

5 (b) (1) Review and investigate applications submitted under
6 subdivision (a).

7 (2) As part of its review, the division may request submission
8 of additional information supporting the application that is
9 reasonably necessary to verify the application, determine whether
10 the applicant is a dispossessed owner, including determining
11 whether the taking was racially motivated. If the division makes
12 a request for additional documentation, it shall communicate that
13 request to the applicant with a notice of the additional information
14 required. The division shall consider any additional information
15 provided by the applicant within 30 days of receipt.

16 (c) After reviewing all of the relevant materials, determine
17 whether the applicant is a dispossessed owner.

18 (d) If the division determines that an applicant has established
19 that they are a dispossessed owner pursuant to subdivision (c), the
20 division shall determine all of the following:

21 (1) The present day fair market value of the property that was
22 taken as a result of racially motivated eminent domain.

23 (2) The specific state or local public entity that took the property,
24 or its successor.

25 (3) Whether issuing property or just compensation to that
26 dispossessed owner would serve to redress past acts of racial
27 discrimination, prevent future acts of racial discrimination, and
28 benefit the whole of the community and its general welfare.

29 (e) If the division determines that issuing property or just
30 compensation to the dispossessed owner is warranted pursuant to
31 paragraph (3) of subdivision (d), the division shall certify that the
32 dispossessed owner is entitled to compensation, as follows:

33 (1) If the taken property is still in the possession of the public
34 entity that took the property, the division shall determine whether
35 the dispossessed owner should be compensated through the return
36 of the taken property or pursuant to paragraph (2) or (3). In making
37 this determination, the division shall consider whether the
38 property's current use or zoning make it impractical to return the
39 property and whether the condition of the property or its

1 surrounding environment would make the return of the property
2 inequitable.

3 (2) If the taken property is no longer in the possession of the
4 public entity that took the property or the division determines that
5 the dispossessed owner should not be compensated through the
6 return of the taken property pursuant to paragraph (1), the division
7 shall solicit from the state or local entity, as applicable, a list of
8 recommendations of publicly held properties that are suitable as
9 compensation and shall determine whether the dispossessed owner
10 should be compensated through the grant of title to one of the
11 recommended publicly held properties or pursuant to paragraph
12 (3).

13 (3) If the division determines that the dispossessed owner should
14 not be compensated through either the return of the taken property
15 or the grant of title to a publicly held property, the division shall
16 certify that the dispossessed owner is entitled to financial
17 compensation equal to the fair market value determined pursuant
18 to paragraph (1) of subdivision (d) less any amount paid for the
19 property at the time of the taking as adjusted for inflation.

20 (f) If the division determines that an applicant is not a
21 dispossessed owner or that issuing property or just compensation
22 is not warranted, the division shall notify the applicant of its
23 finding. The applicant may appeal the determination within 60
24 days of receiving the notice and provide additional information to
25 support their claim. The division shall consider the appeal and any
26 new information provided and issue a determination on the appeal
27 within 120 days.

28 15218. (a) A person who receives a certification from the
29 division pursuant to Section 15217 may present the certification
30 to the specific state or local public entity identified by the division
31 and the state or local public entity may provide to the person the
32 property or monetary compensation identified in the certification.

33 (b) (1) If the state or local entity that took property by racially
34 motivated eminent domain does not provide compensation in
35 accordance with the division's certification in subdivision (e) of
36 Section 15217, the dispossessed owner may bring a claim for
37 compensation under the Government Claims Act (Division 3.6
38 (commencing with Section 810) of Title 1).

39 (2) The person bringing the claim may assert any legal basis
40 for return of the property or compensation that would have been

1 available to the property owner at the time of the taking. The
2 determination of the division shall not be binding upon the court.

3 (c) A claim brought pursuant to this section shall not be subject
4 to the statute of limitations, whether the action is brought before
5 or after the enactment of this article.

6 15219. (a) This article does not disturb or invalidate the title
7 of any property taken by racially motivated eminent domain except
8 against the state or local jurisdiction as set forth in this article.

9 (b) Every finding, decision, determination, or other official act
10 of the bureau is subject to judicial review in accordance with
11 existing law.

12 SEC. 3. The Legislature finds and declares that the addition of
13 Chapter 4 (commencing with Section 15210) to Part 6 of Division
14 3 of Title 2 of the Government Code by this act serves a public
15 purpose and does not constitute a gift of public funds within the
16 meaning of Section 6 of Article XVI of the California Constitution
17 by redressing past acts of racial discrimination, preventing future
18 acts of racial discrimination, and benefitting the whole of the
19 community and its general welfare.

20 *SEC. 4. The Legislature finds and declares that Section 2 of*
21 *this act, which adds Chapter 4 (commencing with Section 15210)*
22 *to Part 6 of Division 3 of Title 2 of the Government Code, imposes*
23 *a limitation on the public's right of access to the meetings of public*
24 *bodies or the writings of public officials and agencies within the*
25 *meaning of Section 3 of Article I of the California Constitution.*
26 *Pursuant to that constitutional provision, the Legislature makes*
27 *the following findings to demonstrate the interest protected by this*
28 *limitation and the need for protecting that interest:*

29 *In order to protect the personal and genetic information of*
30 *individuals, it is necessary to limit disclosure of that information*
31 *to only the limited purpose for which it is collected.*

32 ~~SEC. 4.~~

33 SEC. 5. If the Commission on State Mandates determines that
34 this act contains costs mandated by the state, reimbursement to
35 local agencies and school districts for those costs shall be made
36 pursuant to Part 7 (commencing with Section 17500) of Division
37 4 of Title 2 of the Government Code.