

Assembly Constitutional Amendment

No. 6

Introduced by Assembly Member Wilson

February 6, 2025

Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article I thereof, relating to slavery.

LEGISLATIVE COUNSEL'S DIGEST

ACA 6, as introduced, Wilson. Slavery.

The California Constitution prohibits slavery and prohibits involuntary servitude, except as punishment for a crime.

This measure would instead prohibit slavery in all forms. This measure would clarify that its provisions do not prohibit the Department of Corrections and Rehabilitation from awarding credits to an incarcerated person who voluntarily accepts a work assignment.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

- 1 WHEREAS, The California Constitution has explicitly allowed
- 2 involuntary servitude as punishment for a crime since 1849, more
- 3 than 15 years before slavery was abolished in the United States;
- 4 and
- 5 WHEREAS, More than 150 years after slavery was abolished,
- 6 correctional institutions continue to rely on the involuntary
- 7 servitude exception in the California Constitution to demand forced
- 8 labor from incarcerated people; and

1 WHEREAS, Forced labor has no redeeming qualities and is
2 inconsistent with California's respect for human dignity; and

3 WHEREAS, It is the intent of the Legislature that no person in
4 the State of California, regardless of their circumstance of
5 confinement, be subjected to slavery or involuntary servitude in
6 the State of California and any place subject to its jurisdiction;
7 now, therefore, be it

8 *Resolved by the Assembly, the Senate concurring, That the*
9 *Legislature of the State of California at its 2025–26 Regular*
10 *Session commencing on the second day of December 2024,*
11 *two-thirds of the membership of each house concurring, hereby*
12 *proposes to the people of the State of California, that the*
13 *Constitution of the State be amended as follows:*

14 That Section 6 of Article I thereof is amended to read:

15 ~~SEC. 6. (a) Slavery is prohibited. Involuntary servitude is~~
16 ~~prohibited except to punish crime. in all forms is prohibited.~~

17 *(b) Nothing in this section shall prohibit the Department of*
18 *Corrections and Rehabilitation from awarding credits to an*
19 *incarcerated person who voluntarily accepts a work assignment.*

20 *(c) Amendments made to this section by the measure adding*
21 *this subdivision shall become operative on January 1, 2027.*