

ASSEMBLY BILL

No. 7

Introduced by Assembly Member Bryan

**(Principal coauthors: Assembly Members Bonta, Gipson, Jackson,
McKinnor, and Wilson)**

(Principal coauthors: Senators Smallwood-Cuevas and Weber Pierson)

(Coauthors: Assembly Members Elhawary, Kalra, and Sharp-Collins)

(Coauthor: Senator Richardson)

December 2, 2024

An act to add Article 12 (commencing with Section 66095) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 7, as introduced, Bryan. Postsecondary education: admissions preference: descendants of slavery.

The California Constitution prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.

The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education and their respective institutions of higher education. A provision of the act applies to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make the provision applicable.

This bill would state that the California State University, the University of California, independent institutions of higher education, and private postsecondary educational institutions may consider

providing a preference in admissions to an applicant who is a descendant of slavery, as defined, to the extent it does not conflict with federal law.

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

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

SECTION 1. Article 12 (commencing with Section 66095) is added to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, to read:

Article 12. Admissions Preference for Descendants of Slavery

66095. (a) The California State University, the University of California, independent institutions of higher education, as defined in Section 66010, and private postsecondary educational institutions, as defined in Section 94858, may consider providing a preference in admissions to an applicant who is a descendant of slavery. This subdivision shall be implemented only to the extent that it does not conflict with federal law.

(b) For purposes of this section, “descendant of slavery” means a person who, based on lineage, is a descendant of a chattel enslaved person of American chattel slavery.

CORRECTIONS:

Heading—Line 4.

REVISIONS:

Heading—Lines 4 and 5.