

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2025-2026 Regular Session**

SB 437 (Weber Pierson)  
Version: April 8, 2025  
Hearing Date: April 22, 2025  
Fiscal: Yes  
Urgency: No  
AWM

**SUBJECT**

California State University: claim eligibility: genealogy and descendency

**DIGEST**

This bill requires the Director of Finance to allocate \$6 million, as specified, for the purpose of enabling the California State University (CSU) to conduct research in furtherance of the recommendations of the Task Force to Study and Develop Reparation Proposals for African Americans (Task Force).

**EXECUTIVE SUMMARY**

In 2020, the Legislature passed, and the Governor signed, SB 3121 (Weber, Ch. 319, Stats. 2020), which established the first-in-the nation Task Force to study and develop reparations proposals for California's role in accommodating and facilitating slavery, perpetuating the vestiges of enslavement, enforcing state-sanctioned discrimination, and permitting pervasive, systematic structures of discrimination against African Americans. The Task Force completed its work and issued its final report in 2023. The report contains a number of recommended remedies the state could implement in order to atone for its decades of state-sanctioned white supremacy, including providing reparatory compensation and restitution to persons who are descended from chattel enslaved persons or free Black persons living in the United States prior to the 19th Century.

This bill is intended to take another step towards implementing the Task Force's reparations recommendations by requiring the Director of Finance, subject to an appropriation in the Budget Act, to allocate \$6 million to the CSU to enable to CSU to conduct research and explore options for how to determine whether an individual is a descendent, within the meaning of the Task Force's recommendations, who is eligible for reparations. The CSU must commence the work of establishing the process on or before the start of the 2026-2027 academic year, and must file annual reports with the Legislature and the Governor regarding its progress until funding is exhausted. This

bill is intended to move the state closer to being able to fulfill the Task Force's recommendations for providing reparations to descendants of persons enslaved in the United States in the nineteenth century.

This bill is sponsored by the author and is supported by 13 equity, nonprofit, and reparations-focused organizations and four individuals, including three former Task Force members. This bill is opposed by nine equity, nonprofit, and reparations-focused organizations and one individual. The Senate Education Committee passed this bill with a vote of 5-2.

### **PROPOSED CHANGES TO THE LAW**

Former state law established the Task Force to develop reparations proposals for African Americans, with special consideration for African Americans who are descended from persons enslaved in the United States, and provided that the Task Force statutes would remain in effect until July 1, 2023, and as of that date be repealed. (Former Gov. Code, §§ 8301-8301.7, repealed by Gov. Code § 8301.7.)

This bill:

- 1) Requires the Director of Finance to allocate \$6 million for the purpose of enabling the CSU to conduct research in furtherance of the Task Force's recommendations.
- 2) Provides that the CSU, pursuant to the moneys allocated in 1):
  - a) May partner with other universities or nonprofit institutions in furtherance of its further research.
  - b) Shall explore options to determine how to confirm an individual's status as a descendant.
  - c) Shall establish a process for conducting or verifying genealogical research to confirm eligibility for reparative claims. The CSU must commence the work of establishing the process on or before the start of the 2026-2027 academic year, and funding from 1) may be used to support student participation in support of this objective.
  - d) Shall consult, before the start of each fiscal year, with the California Legislative Black Caucus to propose a list of research components to be addressed through the appropriation in 1) until the funding is exhausted.
  - e) Shall, notwithstanding Government Code section 10231.5, on or before October 1 of each year until funding is exhausted, submit to the Legislature and Governor a report with a status update of pending research projects and any research projects that were completed in the prior year. The final report shall include research findings, recommendations with options, and timelines for statewide implementation, including costs, developed by CSU. These reports shall be submitted pursuant to Government Code section 9795.

## COMMENTS

### 1. Author's comment

According to the author:

Senate Bill (SB) 437 would require the California State University to independently research and report on scientific methodologies for determining an individual's genealogical fingerprint to verify their status as a descendant of an enslaved person in the United States.

This bill is essential for the successful implementation of the California Reparations Task Force's final recommendations. To establish eligibility for the recommendations outlined by the Task Force, we must first have a clear, accurate, and evidence-based method for identifying descendants of American chattel slavery. Many African Americans face significant challenges in tracing their lineage due to incomplete records, forced family separations, and the systemic erasure of their histories. By tasking California State University with determining the best methods for establishing lineage, this bill would provide Black Californians with access to scientifically reliable, state-supported genealogical research that might otherwise be costly or difficult to obtain.

### 2. The Task Force's report and recommendations

In 2020, the Legislature enacted AB 3121 (Weber, Ch. 319, Stats. 2020), which created the first-in-the-nation Task Force to explore options for providing reparations to African Americans, and particularly the descendants of enslaved persons, in recognition of California's role in the heinous institution of slavery and the post-abolition perpetuation of racist institutions.<sup>1</sup> The Task Force released an interim report on June 1, 2022, which provided the Task Force's preliminary findings regarding the ongoing and compounding harms caused by federal, state, and local governments from slavery and the " 'badges and incidents of slavery' " that continued to be imposed on African Americans long after slavery was formally abolished.<sup>2</sup> The report notes that, because "the effects of slavery infected every aspect of American society over the last 400 years...it is nearly impossible to identify every 'badge and incident of slavery,' to include every piece of evidence, or describe every harm done to African Americans."<sup>3</sup>

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<sup>1</sup> HR 40 (Pressley, 119th Cong., 2025-2026), a federal bill to create a federal commission to study the effects of slavery and discrimination on African Americans and devise reparations proposals, is pending before the House Committee on Judiciary. The bill has been introduced every year since 1989.

<sup>2</sup> California Task Force to Study and Develop Reparation Proposals for African Americans, Interim Report (June 1, 2022), available at <https://oag.ca.gov/ab3121/reports>. All links in this analysis are current as of April 17, 2025.

<sup>3</sup> *Id.* at p. 5.

On June 29, 2023, the Task Force issued its final report to the California Legislature, known as the California Reparations Report.<sup>4</sup> The California Reparations Report incorporates and updates the interim report and recommends appropriate remedies, including compensation, for African Americans as recompense for the State's gross human rights violations against African Americans and their descendants.<sup>5</sup> The California Reparations Report explains:

[T]he harms inflicted upon African Americans have not been incidental or accidental – they have been by design. They are the result of an all-encompassing web of discriminatory laws, regulations, and policies enacted by government. These laws and policies have enabled government officials and private individuals and entities to perpetuate the legacy of slavery by subjecting African Americans as a group to discrimination, exclusion, neglect, and violence in every facet of American life. And there has been no comprehensive effort to disrupt and dismantle institutionalized racism, stop the harm, and redress the specific injuries caused to descendants and the larger African American community.<sup>6</sup>

The Task Force developed its recommendations for reparations taking into account this willful infliction of harm and applying international standards and principles for the remedy of wrongs and injuries caused by a government.<sup>7</sup>

Last year, the Legislature enacted, and the Governor signed, AB 3089, which fulfilled the Task Force's recommendation that the state formally apologize, accept responsibility, and request forgiveness for the harms and atrocities committed by the state in connection with the institution of chattel slavery.<sup>8</sup> Most of the Task Force's remaining recommendations, however, have not been implemented. One such recommendation is that the Legislature establish a Genealogy Office "to support genealogical research to confirm reparations eligibility and expedited assistance with the reparations claims process."<sup>9</sup>

3. This bill allocates funds to the CSU to conduct research to determine how to confirm an individual's status as a descendant who will be eligible for reparations

This bill requires the Director of Finance, subject to an appropriation in the Budget Act, to allocate \$6 million to the CSU to enable the CSU to conduct research and explore options for how to determine whether an individual is a descendent, within the meaning of the Task Force's recommendations, who is eligible for reparations. As part

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<sup>4</sup> See generally California Reparations Report (2023), available at <https://oag.ca.gov/ab3121/report>.

<sup>5</sup> *Id.* at p. 4.

<sup>6</sup> *Id.* at p. 48.

<sup>7</sup> *Id.* at p. 512.

<sup>8</sup> See AB 3089 (Jones-Sawyer, Ch. 624, Stats. 2024).

<sup>9</sup> California Reparations Report, *supra*, at p. 658.

of this mission, the CSU will develop a process for conducting or verifying genealogical research to confirm eligibility claims. The bill specifies that the CSU must commence the work of establishing the process on or before the start of the 2026-2027 academic year. The CSU will file annual reports with the Legislature and the Governor regarding its progress until funding is exhausted. This bill is intended to move the state closer to being able to fulfill the Task Force's recommendations for providing reparations to descendants of persons enslaved in the United States in the nineteenth century.

The exact scope of who could qualify as a "descendant" who is eligible for reparations is not yet set in statute. The Equal Protection Clause of the Fourteenth Amendment of the United States Constitution leaves little room for race-based classifications,<sup>10</sup> so developing eligibility criteria based in sound genealogical science is of particular importance. According to the author, this bill will help identify the best methods to fill the gaps left by incomplete historical records and ensure the most effective and reliable approach for identifying descendants.

Opponents of the bill argue that this bill will unnecessarily delay the process of awarding reparations, which has already been unjustly delayed for generations. They argue that existing genealogical research methodologies and databases are sufficient to verify a person's status as a descendent, meaning no further research is necessary. Supporters of the bill argue that the CSU's research project will ensure that the methodologies adopted do not lead to misidentification or exclusion of descendants.

#### 4. This bill's relationship to SB 518 (Weber Pierson)

This Committee is also hearing SB 518 (Weber Pierson), which would establish the Bureau for Descendants of American Slavery (Bureau) for purposes of carrying out a mission consistent with the recommendations of the Task Force. SB 518 requires the Bureau to, among other things, determine how an individual's status as a descendant for reparations shall be confirmed, and establishes a Genealogy Division within the Bureau to establish a certification process for descendants. Although SB 518 does not expressly require the Bureau to adopt the CSU's recommendations, the Bureau would certainly have the option to do so.

#### 5. Arguments in support

According to the Greater Sacramento Urban League:

California has taken significant steps toward addressing historical injustices through the work of the Reparations Task Force. Still, a critical component of any reparative initiative is ensuring that eligibility is clear, accessible, and based on a rigorous and standardized process. SB 437 provides a necessary framework

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<sup>10</sup> See *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* (2023) 600 U.S. 181, 207.

to ensure that individuals who are descendants of enslaved persons can access the benefits and opportunities designed to address systemic inequities.

This bill builds on the findings of AB 3121, which highlighted persistent disparities in economic, health, and educational outcomes for Black Californians. By requiring CSU to research and develop genealogical verification processes, SB 437 strengthens California's commitment to justice and ensures that reparative programs are implemented with integrity and clarity.

## 6. Arguments in opposition

According to the Lineage Equity & Advancement Project:

First, SB 437 directly contradicts the California Reparations Task Force's recommendation that the state establish a process to conduct genealogy, not merely study or research genealogy. The Task Force explicitly rejected calls for further research or delays in its work, emphasizing the urgency of implementing Reparations rather than prolonging studies. By allocating substantial taxpayer funds to additional research, SB 437 ignores the Task Force's carefully considered conclusions and undermines the momentum necessary for Reparative action.

Second, this bill conflicts with another legislative proposal, namely SB 518 (Weber-Pierson) that mandates the state to create a process for conducting genealogy. The existence of multiple, conflicting legislative efforts creates unnecessary confusion, redundancy, and inefficiency in addressing eligibility determinations for Reparative claims. Instead of funding duplicative research, the state should prioritize the implementation of a direct genealogical verification process.

Further, additional genealogical research is unnecessary at this stage. Existing genealogical research methodologies and databases are already sufficient to verify an individual's status as a descendant of persons enslaved and emancipated in the United States. Expending millions of dollars on indefinite studies – without a clear start date or end date for the studies – risks significant implementation delays and will further hinder the progress of Reparative justice initiatives.

## SUPPORT

Alliance for Reparations, Reconciliation and Truth  
Asian Americans & Pacific Islanders for Civic Empowerment  
Black Californians United for Early Care & Education  
Black Equity Collective  
California Black Power Network

California State Capitol Juneteenth  
Catalyst California  
Don Tamaki, former Task Force Member  
Dr. Cheryl Grills, former Task Force Member  
Greater Los African American Chamber of Commerce  
Greater Sacramento Urban League  
Lisa Holder, former Task Force Member  
Live Free California  
NAACP California-Hawai'i State Conference  
Western Center on Law and Poverty  
Where Is My Land  
One individual

### **OPPOSITION**

American Redress Coalition of California Bay Area  
American Redress Coalition of California Sacramento  
California Alliance for Youth & Community Justice  
California Black Lineage Society  
California Organizations for Reparations  
Coalition for a Just and Equitable California  
Freedom 4 Youth  
Emend the Mass Media Group  
Lineage Equity & Advancement Project  
One individual

### **RELATED LEGISLATION**

#### **Pending legislation:**

SB 518 (Weber Pierson, 2025) establishes the Bureau for Descendants of American Slavery within state government, and establishes the Bureau's duties relating to determining an individual's status as a descendant, as defined, and to reviewing and investigating complaints of property taken as a result of racially motivated eminent domain. SB 518 is pending before this Committee and is set to be heard on the same date as this bill.

AB 1315 (Essayli, 2025) establishes the California Freedman Affairs Agency as an agency within state government, for the purpose of verifying a resident's status as an American Freedman, as defined, and maintaining a database of American Freedman residents. AB 1315 is pending before the Assembly Rules Committee.

AB 62 (McKinnor, 2025) establishes, within an agency to be determined, a process by which persons could submit applications for compensation for property taken as a

result of racially motivated eminent domain, and by which compensation could be awarded. AB 62 is pending before the Assembly Judiciary Committee.

Prior legislation:

SB 1331 (Bradford, 2024) would have established the Fund for Reparations and Reporative Justice in the State Treasury with the purpose of funding policies approved by the Legislature and the Governor that address the harm that the State of California caused to descendants of an African American chattel enslaved person or descendants of a free Black person living in the United States prior to the end of the 19th century. SB 1331 died on the Assembly Floor.

AB 3121 (Weber, Ch. 319, Stats. 2020) established the Task Force and its mission, with a sunset date of July 1, 2023.

**PRIOR VOTES:**

Senate Education Committee (Ayes 5, Noes 2)

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