

Date of Hearing: June 24, 2025

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

SB 437 (Weber Pierson) – As Amended June 9, 2025

[Note: This bill is double referred to the Assembly Committee on Judiciary and will be heard by that Committee as it relates to issues under its jurisdiction.]

SENATE VOTE: 28-10

SUBJECT: California State University: claim eligibility: genealogy and descendency.

SUMMARY: Permits the reapportionment of up to \$6 million of funds from the 2024 Budget Act for the purpose of enabling the California State University (CSU) to conduct research to support the recommendations of 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). It also requires that the CSU annually submit a report to the Legislature and Governor on pending and completed research projects along with a final report that includes recommendations for statewide implementation. Specifically, **this bill:**

- 1) Authorizes up to \$6 million of funds appropriated pursuant to the 2024 Budget Act for purposes of enabling CSU to conduct research in furtherance of the Task Force's recommendations, and authorizes the CSU to partner with other universities or nonprofit institutions for the purpose of conducting that research.
- 2) Requires the CSU to explore options for determining how to confirm an individual's descendant status and establish a process for conducting or verifying genealogical research to confirm eligibility for reparative claims on or before the start of the 2029-30 academic year and commence the work of establishing the process on or before the start of the 2026-27 academic year. It also authorizes funds to support student participation in support of this goal.
- 3) Requires, prior to the start of each fiscal year, the CSU to consultant with the California Legislative Black Caucus to propose a list of research components to be addressed through the appropriation and each year until funding is exhausted.
- 4) Requires CSU, by October 1 of each year and until funding is exhausted, to submit to the Legislature and Governor a report with a status update of pending research projects and research projects that have been completed within the prior year.
- 5) Requires CSU to submit a final report that includes its research findings, recommendations with options, and timelines for statewide implementation, including costs, developed according to the bill's provisions.

EXISTING LAW:

- 1) Establishes the CSU, under the administration of the Trustees of the CSU, as one of the segments of public postsecondary education in the state (Education Code (EC) Section 66600).
- 2) Requires that the CSU's Statewide Central Office for Advancement of Black Excellence, housed at Sacramento State, manage the state's California Black-Serving Institutions program designation (EC Section 66076.3).
- 3) Authorizes the CSU Trustees to establish an African American Political and Economic Institute at CSU, Dominguez Hills and requires CSU, Dominguez Hills to rename the institute the Mervyn M. Dymally African American Political and Economic Institute (SB 807 (Price, et al.), Chapter 170, Statutes of 2013).
- 4) Establishes, until July 1, 2023, the Task Force.
 - a) Requires the Task Force, in part, 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; and,
 - b) States that the State of California recognizes and accepts responsibility for all of the harms committed by the state in connection with chattel slavery and its enduring legacy, issues an apology from the State of California for perpetuating the harms African Americans face through state and private action, and requires a plaque memorializing the apology to be installed in the State Capitol (Government Code Section 8301, et seq.).

FISCAL EFFECT: According to the Senate Committee on Appropriations:

- 1) Control Section 15.80 of the 2024 Budget Act allows the Director of Finance to augment one or more items in this act by no more than \$12 million from the General Fund for implementation of reparations legislation that is enacted into law.
- 2) This bill would authorize up to \$6 million of those funds to be used for the purposes specified in the bill.
- 3) While the CSU indicates that the overall cost for participating campuses is unknown, it anticipates that the amount of \$6 million would be sufficient.

COMMENTS: *Purpose of the measure.* Establishing lineage to former enslaved persons of American chattel slavery is a complex and sensitive task that requires careful study for several reasons. The author states that the reasons for prudent and judicial study of this issue, include, but are not limited to:

“Historical Gaps: Many records from the era of slavery are incomplete, lost, or destroyed. This bill can help identify the best methods to fill these gaps using available documents, oral histories, and other resources.

Legal and Ethical Considerations: Determining lineage has significant legal and ethical implications, especially when it comes to reparative benefits and inheritance claims. This bill ensures that the process is fair, transparent, and respects the rights of all individuals involved.

Accuracy and Reliability: Different methods of establishing lineage, such as genetic testing, historical records, and oral histories, have varying degrees of accuracy and reliability. This bill will allow an evaluation of these methods to determine the most effective and reliable approach.

Educational Value: Understanding the best ways to establish lineage can also contribute to broader historical and genealogical knowledge, helping to educate future generations about the experiences and contributions of former slaves and their descendants.”

Additionally, the author states that, “Senate Bill 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.”

Lastly, the author contends that, “to establish eligibility for the recommendations outlined by the Task Force, we must first have a clear and accurate method to identify 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 reliable, state-supported genealogical research that might otherwise be costly or difficult to obtain.”

Task Force. The Legislature enacted AB 3121 (Shirley Weber), Chapter 319, Statutes of 2020, establishing the first-in-the-nation Task Force to investigate options for providing reparations to Black individuals, and particularly the descendants of enslaved persons in recognition of California’s role in accommodating and facilitating slavery and the continuation of racist institutions post-abolition. AB 3121 also required the Task Force to recommend appropriate ways to educate the public of its findings, recommend appropriate remedies, and submit a report of its work.

The Task Force submitted its final 74-page report to the Legislature on June 29, 2023. The final report summarizes the harms caused by slavery and the lingering negative effects of the institution of slavery on descendants of persons enslaved in the U.S. and, more broadly, on living Black individuals and on society in California.

The report includes Task Force recommendations for reparations, taking into account: 1) how any form of compensation to Black individuals, with a special consideration for Black individuals who are descendants of persons enslaved in the U.S. should be calculated; 2) what form of compensation should be awarded, though what instrumentalities, and who should be eligible for such compensation; and, 3) whether any other forms of rehabilitation or restitution to African descendants are warranted and what form and scope those measures should take.

Recent budget action. The 2024-25 Budget Act appropriated \$12 million for the implementation of reparations legislation.

This measure authorizes up to \$6 million of these funds for the CSU to conduct this work; and authorizes the CSU to partner with other universities or nonprofit institutions in furtherance of the objectives of the measure.

Why the CSU? According to the CSU, “the CSU is committed to engaging in applied research and study that lifts communities and addresses our state’s most pressing challenges. Our universities are well positioned to conduct research projects of this magnitude. Twenty-one of twenty-three CSU universities have been recognized by the American Council on Education and the Carnegie Foundation for the Advancement of Teaching for their research, with twelve of these recognized as either R [Research] 1 or R [Research] 2 designated research institutions.”

Committee Staff understands that at R1 Status postsecondary institutions, the research study spans the academic spectrum, engaging graduate students with research opportunities from the creative arts and humanities to the social sciences and applied sciences. R1 Status universities are at the forefront of research and innovation, and they receive federal and/or private funding specifically for their academic research.

The R2 Status postsecondary institutions, while also deeply invested in research, may not scale up to the same quantitative metrics as R1 Status institutions in terms of research funding, the range of Ph.D. fields, or the number of awarded doctoral degrees. Nonetheless, the importance of research is still integral to these institutions' missions, and they continue to foster a conducive environment for inquiry and discovery.

Additionally, the CSU system consists of 23 universities and with approximately 28,000 fulltime and part-time faculty. The CSU is the nation’s largest and most diverse public university system. The CSU also houses the Central Office for the Advancement of Black Student Success at Sacramento State, which is focused on addressing the barriers to Black student success and the Mervyn Dymally African American Political and Economic Institute at CSU, Dominguez Hills. The Dymally Institute dedicates itself to exploring and documenting the professional lives and achievements of Black leaders and examines the impact of their public policy efforts on the political and economic development of Black individuals and other disadvantaged communities.

In the words of the CSU, “if SB 437 were signed into law, the CSU will work with state partners to conduct a systemwide request for proposal process to all our universities who would be interested in leading this project. Through our initial conversations, several universities have already expressed preliminary interest and demonstrated expertise in the fields of study essential in conducting this work, including—but not limited to—anthropology, history and genealogical research, among others.”

Committee comments and amendments. As currently drafted, this measure was somewhat ambiguous as to how the CSU must confirm an individual’s status for eligibility for reparative claims. Additionally, the measure, does not define the term “descendant of slavery or enslaved persons.”

With that in mind, the Committee recommends, and the author has accepted all of the following amendments:

(b) The California State University shall explore options to determine how to confirm an individual's status as a descendant. The California State University shall also establish a process for conducting or verifying genealogical research **for the purpose of confirming an individual's status as a descendant of slavery, as defined in subdivision (c), for eligibility for reparative claims** to confirm eligibility for reparative claims on or before the start of the 2029–30 academic year and commence the work of establishing the process on or before the start of the 2026–27 academic year. Funding from subdivision (a) may be used to support student participation in support of this goal.

(c) For purposes of this section, “descendant of slavery” means 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.

Arguments in support. According to Equality California (EQCA), “SB 437 builds on the foundational work of the California Reparations Task Force, which recommended the establishment of a clear and evidence-based process for verifying descendants of enslaved individuals. By directing the California State University (CSU) system to research and implement a genealogical verification process, SB 437 ensures that reparative benefits are accessible to those most directly impacted. It also ensures that the process is rooted in rigorous, scientifically sound methodologies.”

Additionally, EQCA states that, “this legislation also promotes transparency and accountability by requiring CSU to submit annual reports to the Legislature and Governor detailing its progress. These provisions will help ensure the verification process remains equitable, effective, and responsive to community needs. At a time when the path to reparative justice must be met with urgency, SB 437 provides a practical and forward-looking framework to move this work from recommendation to reality.”

Arguments in opposition. According to the Lineage Equity and Advancement Project (LEAP), “the bill [SB 437] requires the CSUs to ‘explore options to determine how to confirm an individual's status as a descendant.’ Not only is this in direct contradiction to the recommendation of the State Reparations’ Task Force, but genealogists recently testifying against SB 437 to the California Senate Judiciary Committee [hearing occurred April 22, 2025]

said that the proposed research is unnecessary. This is because, according to these experts, genealogical proof standards have been well-established for decades, are practiced every day, and require no further research (exploration).”

Further, LEAP states that, “SB 437 is a threat to successfully implementing any state proposals targeted to residents who descend from people emancipated from Chattel Slavery in the U.S., now or in the future, regardless of whether or not those programs or policies are related to Reparations. Here’s how: for any state program or policy targeting these descendants, residents will need a way to confirm that they are, in fact, descendants of emancipated people. If SB 437 becomes law, before anyone can confirm that status, the CSUs will need to complete their genealogy research first. This means delays implementing those targeted programs and policies could last years, even decades. In short, SB 437 stalls state efforts to improve the lives of millions of California residents.”

Related legislation. AB 7 (Bryan), which is currently awaiting a hearing by the Senate Committee on Education, in part, permits the CSU, the University of California, independent institutions of higher education, as defined, and private postsecondary educational institutions, as defined, to consider providing a preference in admissions to an applicant who is a descendant of slavery. Specifies that this provision shall be implemented only to the extent that it does not conflict with federal law.

SB 518 (Weber Pierson), which is currently awaiting a hearing by the Assembly Committee on Judiciary, 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.

Prior legislation. SB 1331 (Bradford) of 2024, which died on the Assembly Floor, would have established the Fund for Reparations and Reparative 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.

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

REGISTERED SUPPORT / OPPOSITION:

Support

Black Equity Collective

California Black Power Network

California Reparations Task Force Members Dr. Cheryl Grills, Lisa Holder, and Don Tamaki

California State University, Office of the Chancellor

Catalyst California

Congregations Organized for Prophetic Engagement (COPE)

Equal Justice Society
Equality California
Greater Sacramento Urban League
Japanese American Citizens League, Berkeley Chapter
Live Free California
Secure Justice

Opposition

American Redress Coalition of California Bay Area (ARCC Bay Area)
Black Lives Matter - Los Angeles
Emend the Mass Media Group
Lineage Equity and Advancement Project

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