
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 7 (Bryan) - Postsecondary education: admissions preference: descendants of slavery

Version: July 3, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: ED. 5 - 2, JUD. 11 - 2

Mandate: No

Consultant: Lenin Del Castillo

Bill Summary: This bill authorizes public and private postsecondary educational institutions to consider providing a preference in admissions to an applicant who is a descendant of slavery.

Fiscal Impact:

- The California State University (CSU) estimates General Fund costs of about \$3.0 million for campuses to review and determine the appropriate documentation necessary to verify descendants of slavery and update admissions applications. This estimate assumes that all 23 campuses would elect to provide preferential admissions to descendants, and that each campus would require one new position at a cost of \$130,104 each year to perform these duties.
- The University of California (UC) estimates General Fund costs in the tens of thousands of dollars each year to verify descendants of slavery and update admissions applications. The UC also cites multiple pending lawsuits for its admissions practices and that the bill would likely be challenged in the courts. To the extent that the bill results in litigation involving UC as a party, it could add unknown but potentially significant General Fund costs in the high hundreds of thousands of dollars.

Background: The California Constitution prohibits the State, in the operation of public employment, public education, or public contracting, from discriminating against or granting preferential treatment to any individual or any group on the basis of race, sex, color, ethnicity, or national origin. It stipulates that the implementation is to comply with federal laws and the U.S. Constitution. The law defines the "State" to include, but not necessarily be limited to, the State itself, any city, county, city and county, public university system, including the University of California (UC), California Community College (CCC) district, school district, special district, or any other political subdivision or governmental instrumentality of or within the State. The law stipulates that nothing in the section is to be interpreted as:

1. Prohibiting bona fide qualifications based on sex, which are reasonably necessary to the normal operation of public employment, public education, or public contracting;

2. Invalidating any court order or consent decree, which is in force as the effective date of the section; and,
3. Prohibiting action which must be taken to establish or maintain eligibility for any federal program, where ineligibility would result in a loss of federal funds to the State.

Proposed Law: This bill authorizes CSU, UC, independent institutions of higher education, and private postsecondary educational institutions to consider providing a preference in admissions to an applicant who is a descendant of slavery to the extent that it does not conflict with federal law.

This bill defines “descendant of slavery” to mean an individual who can establish direct lineage to a person who, before 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.

Related Legislation: SB 437 (Weber-Pierson, 2025) authorizes up to \$6 million of funds appropriated in the 2024 Budget act to enable CSU to conduct research to support the recommendations of the Task Force to Study and Develop Reparation Proposals for African Americans. The bill is pending in the Assembly Appropriations Committee.

AB 697 (Ting, Chapter 514, Statutes of 2019) requires the CSU Trustees, the UC Regents, and the appropriate governing bodies of each independent institution of higher education that provide preferential treatment in admissions to applicants with a relationship to donors or alumni, to annually report information about those admissions to the Legislature.

AB 2047 (Hernandez, 2010) would have authorized the CSU and the UC to consider geographic origin, household income, race, gender, ethnicity and national origin along with other relevant factors, in undergraduate and graduate admissions, and required and requested the CSU and UC, respectively, to report on the implementation of these provisions to the Legislature and Governor by November 1, 2012, as specified. AB 2047 was ultimately vetoed by the Governor with the following message:

“The UC and CSU systems are aware of and supportive of the important goal of student diversity and make every attempt through its comprehensive review

admissions process. That process considers many of the factors contained in this legislation, but do so within current constitutional restrictions. The intent of this bill would be more appropriately addressed through a constitutional change of those current restrictions.”

Staff Comments: On November 5, 1996, California voters passed Proposition 209, which, in part, eliminated the consideration of race, in public education admissions, regardless of long-standing practices institutions of higher education may have had in place. Since 1996, there have been various legislative attempts to repeal or reduce the scope of Proposition 209 on public contracting, public education, and public employment, including ACA 5 (Shirley Weber, Chapter 23, Statutes of 2020) which became Proposition 16 and proposed to repeal the provisions of Proposition 209 and reintroduce affirmative action in the state. Voters failed to pass Proposition 16, effectively upholding the existing ban on discrimination and preferential treatment in state public employment, public contracting, and public education.

This bill would authorize the public segments of higher education and private postsecondary educational institutions to consider providing a preference in admissions to an applicant who is a descendant of slavery to the extent that it does not conflict with federal law. According to the author, “For decades, universities gave preferential admission treatment to legacy donors and their family members, while ignoring admission outcomes for applicants directly impacted by legacies of harm and exclusion. These intentional decisions have resulted in stark and measurable achievement differences that have documented ties back to slavery in the United States.

“AB 7 provides a legal mechanism for California's colleges and universities to address educational inequities tied directly to slavery and its lasting effects. By allowing institutions to consider an applicant’s lineage as a factor in admissions decisions, the bill aims to increase institutional access for students who research has shown still experience the greatest educational attainment and achievement disadvantages.”

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