

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 518 (Weber Pierson) – As Amended July 3, 2025

Policy Committee: Judiciary

Vote: 9 - 3

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill establishes the Bureau for Descendants of American Slavery (Bureau) to address the harms described in and advise on reparative remedies guided by the final report of the California Task Force to Study and Develop Reparation Proposals for African Americans (Task Force).

Specifically, among other provisions, this bill:

- 1) Establishes the Bureau within the Department of Justice (DOJ) and:
 - a) Requires the Bureau to be under the direct control of a director who is appointed by and responsible to the Attorney General.
 - b) Establishes three divisions within the Bureau: a Genealogy Division, a Property Reclamation Division, an Education and Outreach Division, and a Legal Affairs Division.
- 2) Requires the Bureau to verify a person's status as a descendant and require proof of a person's descendant status as a qualifying criterion for benefits that may be authorized by the state.
- 3) Defines a "descendant" as a person who can establish direct lineage to a person who, prior to 1900, was subjected to American chattel slavery and meets other specified criteria.
- 4) Requires the Genealogy Division to, among other specified responsibilities, establish a process to certify descendants of American slaves and create a method for eligible individuals to submit claims and receive compensation.
- 5) Requires the Property Reclamation Division to, among other specified responsibilities, research and document state properties acquired as a result of racially motivated eminent domain and review and investigate public complaints from people who claim their property was taken for racially motivated reasons and without just compensation.
- 6) Establishes procedures by which a person whose property was taken by racially motivated eminent domain (a "dispossessed owner"), as certified by the Property Reclamation Division, may seek and obtain compensation from a state or local entity, including by bringing a claim under the Government Claims Act.

- 7) Requires the Education and Outreach Division to develop and implement a public education campaign on specified topics.
- 8) Requires the Legal Affairs Division to, among other responsibilities, provide legal advice, counsel, and services to the Bureau and its officials; serve as an external liaison on legal matters with other state agencies and other entities; and review past laws, current laws, and proposed legislation.
- 9) Establishes procedures the Bureau must follow in collecting, maintaining, and disclosing nonpublic personal and genetic information.
- 10) Specifies implementation of the bill's provisions shall be contingent on an appropriation of sufficient funding by the Legislature.

FISCAL EFFECT:

- 1) Costs (General Fund, Legal Services Revolving Fund) to DOJ to establish and operate the Bureau, likely in the tens of millions of dollars annually at a minimum. DOJ provided this committee with a cost estimate for the May 23, 2025, version of this bill, which was substantively similar to the current version but did not contain the personal information provisions referenced in item 8, above. DOJ anticipated costs of approximately \$11.3 million in fiscal year (FY) 2025-26, \$20 million in FY 2026-29, and \$18 million ongoing thereafter. These costs are largely for staffing; the department estimates it will need about 85 new staff positions spread across DOJ's existing legal, information services, and research divisions to handle the workload required of the Bureau. DOJ's estimate also includes substantial resources to establish an IT infrastructure for the Bureau. The department notes it requires delayed implementation until January 1, 2027, to accommodate hiring of legal staff and until January 1, 2030, to create IT systems.

This is likely a conservative estimate; actual costs to operate the Bureau may be higher, especially if additional reparative proposals for descendants of enslaved people are implemented in the future. As noted below, several such proposals are pending in the Legislature this session.

- 2) Costs (General Fund, special funds) of an unknown but likely significant amount to state entities to compensate dispossessed owners. Actual costs will depend on the number of claims substantiated by the Bureau; state workload associated with evaluating claims, providing information to the Bureau as required, and litigating claims; and the value of real property or monetary compensation ultimately awarded. In the aggregate, these costs may be in the tens of millions to hundreds of millions of dollars.

The following state entities reported costs as of the date this analysis was prepared:

- Department of Water Resources (DWR) anticipates costs above \$5 million to search records upon request by potential dispossessed owners of property. DWR also notes the Department of General Services would charge the department approximately \$12,000 per transaction in the event property is required to be returned to a dispossessed owner.
- State Parks anticipates costs around \$2.5 million (General Fund) for 12 full time positions, including an archivist, analysts, attorneys, legal secretary, agents, and state

historian. State Parks reports the state park system is comprised of over 1.6 million acres of land and began during an era of systemic discrimination; the department will need significant resources for staff with “expertise in history, archives, research, property, and law to locate, authenticate, and contextualize relevant historical documentation to ensure an objective evaluation” of property that may be subject to claims authorized by this bill. State Parks anticipates costs possibly in the tens of millions to hundreds of millions of dollars in compensation resulting from such claims.

- 3) Costs (local funds, General Fund) of an unknown but likely significant amount to local government entities for workload associated with evaluating claims, providing information to the Bureau as required, and litigating claims alleging racially motivated eminent domain. Local entities will also likely incur significant costs providing compensation to dispossessed owners. Local costs incurred to provide information to the Bureau may be reimbursed from the General Fund if the Commission on State Mandates determines those duties constitute a reimbursable state mandate. It is not clear whether the other local costs resulting from this bill may be reimbursable.
- 4) Costs (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate claims for compensation based on racially motivated eminent domain that are rejected by government entities. Actual costs to the courts will depend on the number of cases filed and the amount of time needed to adjudicate each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The fiscal year 2025-26 state budget provides \$82 million ongoing General Fund to the Trial Court Trust Fund for court operations.

COMMENTS:

- 1) **Background.** AB 3121 (Weber), Chapter 319, Statutes of 2020, established 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”) to explore options for providing reparations to African Americans, and particularly the descendants of enslaved persons, in recognition of California’s role in slavery and the post-abolition perpetuation of racist institutions. In June 2023, the Task Force issued its final report to the Legislature. The report includes detailed information about the horrors of slavery, the ongoing harms experienced by African Americans as a result of slavery, and the Task Force’s reparations proposals. The Task Force’s reparations proposals include a number of specific policy recommendations that relate to racial terror, political disenfranchisement, separate and unequal education, and racism in environment and infrastructure, among other topics.
- 2) **Purpose.** According to the author:

Building on the findings and recommendations of the California Reparations Task Force, SB 518 creates a state agency to verify lineage and facilitate access to reparative programs. By ensuring that descendants of enslaved people receive recognition and targeted benefits in housing, education, and economic opportunity, this bill

takes a critical step toward dismantling institutional barriers and advancing justice for Black Californians.

The author's office has informed this committee the author is considering amendments to house the Bureau within another state entity, in part due to concerns about legal conflicts between DOJ's work defending state agencies in litigation and the Bureau's mission to facilitate claims by dispossessed owners against government agencies.

- 3) **Related Legislation.** AB 7 (Bryan) authorizes California postsecondary educational institutions to consider providing a preference in admissions to an applicant who is a descendant of slavery. AB 7 is pending in the Senate Judiciary Committee.

AB 62 (McKinnor) requires an unspecified state agency to review and act on applications from members of the public seeking compensation for land taken by racially motivated eminent domain. AB 62 is pending in the Senate Judiciary Committee.

SB 437 (Weber Pierson) authorizes funding for the California State University to conduct research in furtherance of the Task Force's recommendations and establish a process for confirming a person's status as a descendant of an enslaved person. SB 417 is pending in this committee.

- 4) **Prior Legislation.** SB 1403 (Bradford), of the 2023-24 Legislative Session, would have created the California American Freedmen Agency for the purpose of implementing reparations proposals. SB 1403 died on the Assembly inactive file.

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