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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.95] (Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 4.5. Apology Act for the Perpetration of Gross Human Rights Violations and Crimes Against Humanity, with special consideration for African Slaves and their Descendants [8301 - 8302.5] (Chapter 4.5 added by Stats. 2024, Ch. 624, Sec. 1.)

ARTICLE 2. Recognition and Acceptance of Responsibility for Harms and Atrocities Committed: Formal Apology [8301.2 - 8302.5] (Article 2 added by Stats. 2024, Ch. 624, Sec. 1.)

8301.2. (a) The State of California recognizes and accepts responsibility for all of the harms and atrocities committed by the state, its representatives thereof, and entities under its jurisdiction who promoted, facilitated, enforced, and permitted the institution of chattel slavery and the enduring legacy of ongoing badges and incidents from which the systemic structures of discrimination have come to exist.

(b) The State of California apologizes for perpetuating the harms African Americans faced by having imbued racial prejudice through segregation, public and private discrimination, and unequal disbursement of state and federal funding and declares that such actions shall not be repeated. The State of California acknowledges the work 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. This task force, established by Assembly Bill 3121 (2020), detailed the harms faced by African Americans in California and provided numerous legislative recommendations, including this formal apology. The State of California affirms its role in protecting the descendants of enslaved people and all Black Californians as well as their civil, political, and sociocultural rights. The State of California humbly asks for forgiveness from those affected by past atrocities, both deliberately and negligently, and acknowledges and affirms its responsibility to end ongoing harm. The State of California commits to restore and repair affected peoples with actions beyond this apology.

(Added by Stats. 2024, Ch. 624, Sec. 1. (AB 3089) Effective January 1, 2025.)

8301.3. (a) A plaque memorializing this apology, including the contents of Sections 8301.1 and 8301.2 shall be installed and maintained publicly and conspicuously in the State Capitol Building.

(b) The Department of General Services, in consultation with the Joint Rules Committee, shall plan a plaque pursuant to this section in the State Capitol Building.

(c) The Department of General Services, in consultation with the Joint Rules Committee, shall complete all of the following goals:

- (1) Review of the preliminary design plans to identify potential maintenance concerns.
- (2) Ensure Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101, et seq.) compliance and other safety concerns.
- (3) Review and approval of California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) documents prepared for work at the designated historic property.
- (4) Review of final construction documents to ensure that all requirements are met.
- (5) Prepare a maintenance agreement outlining the Department of General Services responsibility for the long-term maintenance of the plaque due to aging, vandalism, or relocation.

(d) The Department of General Services shall, in consultation with the Joint Rules Committee, establish a schedule for the design, construction, and dedication of the plaque, implement procedures to solicit designs for the plaque, devise a selection process for the choice of the design, and establish a program for the dedication of the plaque.

(e) The Joint Rules Committee shall approve the design and any other aspect of the plaque and the Department of General Services shall provide for the continuous maintenance and upkeep of the fixture.

(Added by Stats. 2024, Ch. 624, Sec. 1. (AB 3089) Effective January 1, 2025.)

8301.4. The Secretary of State shall submit a final copy of this formal apology to the State Archives, where it shall be available for viewing by the general public in perpetuity. The Legislature shall prepare the formal apology, which shall bear the Great Seal of the State and requests that this apology be signed by the Speaker of the Assembly, the President pro Tempore of the Senate, the Governor, and the Chief Justice of California.

(Added by Stats. 2024, Ch. 624, Sec. 1. (AB 3089) Effective January 1, 2025.)

8302.5. Notwithstanding any other provision of law, the Department of General Services and the Joint Rules Committee may receive moneys from any federal, state, or local grant, or from any private donation or grant, for the purposes of this chapter. Notwithstanding Section 13340, any funds received pursuant to this section are continuously appropriated to the Department of General Services and the Joint Rules Committee, without regard to fiscal years, for the purpose of this chapter.

(Added by Stats. 2024, Ch. 624, Sec. 1. (AB 3089) Effective January 1, 2025.)