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AB-2022 State government. (2021-2022)

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Assembly Bill No. 2022

CHAPTER 479

An act to add Chapter 17 (commencing with Section 8899.90) to Division 1 of Title 2 of the Government Code, relating to state government.

[Approved by Governor September 23, 2022. Filed with Secretary of State September 23, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2022, Ramos. State government.

Existing law establishes the Natural Resources Agency, which consists of various departments and commissions, including the Department of Conservation, Department of Parks and Recreation, and State Lands Commission. Existing law vests in the agency various powers, including those related to conservation of lands. Pursuant to the agency's general authority, the agency established the California Advisory Committee on Geographic Names to be a liaison to the United States Board on Geographic Names. The duties, powers, and responsibilities of the committee are established by its internal charter.

Commencing on January 1, 2025, this bill would require the term "squaw" to be removed from all geographic features and place names in the state. The bill would require the Natural Resources Agency to direct the committee to revise its existing charter to perform specified responsibilities, including notifying public agencies, as defined, of each geographic feature and place name that includes the term "squaw." The bill would require the committee to choose a replacement name, under its discretion, and in consultation with advisory bodies, if the local governing body fails to recommend a replacement name within the allotted 180 days.

The bill would require the committee to work in formal consultation with California Native American tribes on the list maintained by the Native American Heritage Commission to establish a procedure for receiving name recommendations.

This bill would require public agencies to no longer replace signs, interpretive markers, or any other marker or printed material with the discontinued name containing the word "squaw." The bill would require each agency or local governing body to ensure that map updates and sign replacements use the new name. Commencing January 1, 2025, the bill would require the committee to annually report to the Legislature regarding the implementation of these provisions, and would require that report to include specified information, including each geographic feature and place name that uses the term "squaw" in that public agency's jurisdiction and the proposed replacement name.

By imposing requirements on local governments to remove the term "squaw" from geographic features and place names and to report specified information to the committee, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The term “squaw” is a racist and derogatory term that has historically been used as an offensive ethnic, racial, and sexist slur, particularly for indigenous women.

(b) Currently, over 100 geographic features and place names in the State of California contain the term “squaw.”

(c) No geographic feature or place name in the State of California should have a name that includes racial and sexual slurs and stereotypes targeting Native Americans, which perpetuate prejudice, disparage racial minorities, and contribute to the current crisis of missing and murdered indigenous people.

(d) The geographical features or place names in the State of California that contain the word “squaw” are deemed to be offensive and insulting.

SEC. 2. Chapter 17 (commencing with Section 8899.90) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 17. Geographic Feature and Place Name Prohibitions

8899.90. The purpose of this chapter includes all of the following:

(a) To prohibit the use of the word “squaw” for geographic features and place names within the State of California.

(b) To establish a process for the California Advisory Committee on Geographic Names to review and revise offensive names in the State of California and, as necessary, submit formal requests to the United States Board on Geographic Names to render decisions on proposed name changes.

8899.91. For the purposes of this chapter, the following definitions apply:

(a) “Advisory Committee” or “committee” means the California Advisory Committee on Geographic Names, or appointees thereof, as established within the Natural Resources Agency.

(b) “Formal consultation” means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party’s sovereignty. Consultation shall also recognize the tribes’ potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

(c) “Geographic feature” means any location or publicly owned structure in this state, including, but not limited to, navigable waters of the state, geographic features, parks, state or local roads, bridges, and publicly owned buildings.

(d) “Place” means any natural geographic feature or street, alley, or other road within the jurisdiction of the state or political subdivision of the state.

(e) “Public agency” means a state agency, local governing body, and any other political subdivision of the state.

8899.92. The Natural Resources Agency shall direct the California Advisory Committee on Geographic Names to revise its existing charter and amend it to include the execution of the duties, powers, and responsibilities listed under Section 8899.94.

8899.93. (a) A public agency shall no longer replace any sign, interpretive marker, or any other marker or printed material with the discontinued name containing the word “squaw.” A public agency shall ensure that whenever it updates a map, or replaces a sign, interpretive marker, or any other marker because of wear or vandalism, the new name adopted pursuant to Section 8899.94 is used.

(b) Beginning on January 1, 2025, the word “squaw” shall be removed from all geographic features and place names in the State of California.

8899.94. (a) The committee shall complete each of the following no later than July 1, 2023:

(1) The committee shall develop a procedure for receiving reports from a public agency that is reporting any geographic feature or place name containing the word "squaw" in its jurisdiction.

(2) The committee shall create a process to receive and review individual petitions to change offensive or derogatory geographic features and place names, including, but not limited to, geographic features and place names containing the word "squaw."

(b) A public agency shall complete each of the following no later than July 1, 2023:

(1) Identify all geographic features and place names within its jurisdiction containing the word "squaw."

(2) File a report identifying those names with the committee.

(c) By January 1, 2024, the committee shall verify the reports it receives pursuant to subdivision (b) and notify the respective public agency of all of the following:

(1) Any remaining geographic feature or place name that includes the term "squaw" in the jurisdiction of the public agency.

(2) The obligations of the public agency to recommend a replacement name for the geographic features and place names in that jurisdiction.

(3) The deadline established in this section.

(d) The committee shall establish a procedure in formal consultation with California Native American tribes on the list maintained by the Native American Heritage Commission for receiving name recommendations. This procedure shall be used statewide and the draft shall be subject to public comment. Once the process has been established, it shall be listed online in a forum accessible to the general public.

(e) (1) After the date of notification by the committee, pursuant to subdivision (c), the public agency shall propose a replacement name to the committee within 180 days.

(2) (A) The public agency shall solicit proposals to rename geographic features and place names from the California Native American tribes, any other public agencies as appropriate, and the public.

(B) The public agency shall engage in formal consultation with California Native American tribes to solicit their proposals.

(3) In selecting replacement names, the public agency shall prioritize names that honor and recognize the tribes, cultures, and indigenous languages specific to the geographic region in question, including place names that were previously used by Native American tribes or place names proposed by California Native American tribes through the appropriate enactment or resolution.

(f) (1) The committee shall vote on the proposed replacement name for a geographic feature or place name within 90 days of receiving the proposed replacement name.

(2) The committee may reject a proposed replacement name if the committee determines that it is offensive or insulting.

(g) (1) If the public agency fails to provide a replacement name within the specified time, or the provided name is deemed to be offensive or insulting by the committee, the committee shall solicit proposals and input to rename the geographic feature or place name from all of the following:

(A) California Native American tribes on the list maintained by the Native American Heritage Commission through formal consultation.

(B) Appropriate public agencies.

(C) Members of the public.

(2) (A) The committee shall vote on a new replacement name within 180 days of rejecting a proposed replacement name pursuant to paragraph (2) of subdivision (e) or, if the public agency failed to provide a replacement name, within 180 days of the deadline to receive a proposed replacement name.

(B) In selecting a new replacement name, the committee shall consider the input received pursuant to paragraph (1) of this subdivision and prioritize names that honor and recognize the tribes, cultures, and indigenous languages specific to the geographic region in question, including place names that were previously used by Native American tribes or place names proposed by California Native American tribes through the appropriate enactment or resolution.

(h) The committee shall do all of the following no later than 90 days after it approves a new name:

(1) Notify each public agency that has reported an offensive or derogatory place name of the alternative name selected by the committee.

(2) Notify state departments, including, but not limited to, the Department of Transportation, the Department of Forestry and Fire Protection, and any other state department that compiles information or develops maps or markers, for the State of California of the name change to ensure that any name change be reflected on subsequent editions of any maps, informational literature, or markers produced by those entities.

(3) Submit, as necessary, a formal request with the United States Board on Geographic Names to render a decision on each proposed name change so that each new name will be reflected on all maps of the United States Board on Geographic Names.

(4) Coordinate with all federal, state, and local agencies to reflect the approved name changes in maps, signs, interpretive markers, other markers, and databases in which the names of these geographic features are recorded.

8899.95. (a) Beginning on January 1, 2025, the committee shall annually report to the Legislature regarding implementation of this chapter. The report shall identify, at a minimum, all of the following:

(1) Each geographic feature and place name in the State of California containing the word “squaw” and the relevant public agency with jurisdiction over that geographic feature or place name.

(2) The replacement name proposed for that geographic feature or place name and the process to select that replacement name.

(3) The number and location of any markers, signs, or maps that shall be or have been changed to reflect the name change.

(4) The date that requests to change names were filed with the United States Board of Geographic Names and whether those changes have been made.

(5) All work completed to date for the purposes of this chapter.

(6) Any other relevant information that the committee finds appropriate.

(b) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.