

HOUSE No. 3921

The Commonwealth of Massachusetts

PRESENTED BY:

Brandy Fluker Oakley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to cure us of the liabilities that ultimately restricted equity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Brandy Fluker Oakley</i>	<i>12th Suffolk</i>	<i>1/20/2023</i>
<i>Christopher J. Worrell</i>	<i>5th Suffolk</i>	<i>2/6/2024</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/6/2024</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/6/2024</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/6/2024</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/6/2024</i>

HOUSE No. 3921

By Representative Fluker Oakley of Boston, a petition (accompanied by bill, House, No. 3921) of Brandy Fluker Oakley relative to establishing a commission to study and develop proposals for lineage-based reparations programs in the Commonwealth. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to cure us of the liabilities that ultimately restricted equity.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. There shall be a commission to study and develop proposals for lineage-
2 based reparations programs in the commonwealth through a truth and reconciliation process to
3 redress the harm resulting from the institution of slavery in the commonwealth, de jure and de
4 facto institutional and systemic racism against enslaved people and their descendants, and the
5 lasting effects of slavery and institutional and systemic racism in the commonwealth. Members
6 shall be considered special state employees for purposes of chapter 268A. The commission shall
7 develop harm reports based on the effects on American Freedmen and their descendants in the
8 commonwealth of harms including enslavement, racial terror, political disenfranchisement,
9 housing segregation, separate and unequal education, racism in environment and infrastructure,
10 pathologizing of Black families, control over creative cultural and intellectual life, stolen labor
11 and hindered opportunity, an unjust legal system, mental and physical harm and neglect and the
12 racial wealth gap from 1619 to present. In developing its proposals, the commission shall consult

13 with the permanent commission on the status of African Americans, established in section 72 of
14 chapter 3 of the General Laws.

15 SECTION 2. The commission shall consist of 15 members: 11 members appointed by the
16 governor, 1 of whom shall have expertise in transitional and reparatory justice, 1 of whom shall
17 have expertise in genealogy, 2 of whom shall have expertise in the history of American slavery
18 and anti-Black institutional discrimination and systemic racism, 2 of whom shall be members of
19 civil rights or reparatory justice organizations, 1 of whom shall have expertise in forensic
20 accounting, 1 of whom shall have expertise in public education, 2 of whom shall be young adults
21 between the ages of 18 and 25 who have demonstrated a commitment to reparations advocacy
22 and 1 of whom shall have expertise in constitutional law; 2 members appointed by the president
23 of the senate; and 2 members appointed by the speaker of the house of representatives. The
24 appointing authorities shall create a public application process that includes a written application,
25 an interview and thorough vetting. The appointing authorities shall, to the extent possible,
26 appoint members to the commission who have a verified familial connection to an American
27 Freedman. The commission shall elect a chair and vice chair from among its members.

28 SECTION 3. (a) The commission shall develop: (i) proposals for a reparations program,
29 including proposals for the form and amount of reparations; and (ii) a summary of data from the
30 truth and reconciliation process. The commission shall consider a variety of methods, including,
31 but not limited to: lump sum payments, yearly payments, victims' assistance funds,
32 homeowners' assistance, tuition assistance, tuition refunds, mortgage refunds and tax credits.

33 (b) The commission shall develop criteria for reparations program participants and a
34 method for application to the program.

35 (c) The commission shall make recommendations for the implementation of a reparations
36 program, including recommendations regarding: (i) the timeline for the implementation of the
37 program, with attention to how the program would function for present and future generations;
38 (ii) draft legislation to implement a program; and (iii) resources and materials for educating the
39 public on reparations and the reparations program.

40 SECTION 4. Within 2 years, the commission shall submit a report of its findings and
41 recommendations, together with drafts of legislation necessary to carry out such
42 recommendations, to the clerks of the house of representatives and the senate, the joint
43 committee on racial equity, civil rights, and inclusion and the house and senate committees on
44 ways and means. Within 2 years, the commission shall notify the public of its findings.