

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Russell E. Holmes and Liz Miranda

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 establishing a commission to study reparations in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act establishing a commission to study reparations in Massachusetts.

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. Chapter 3 of the General Laws is hereby amended by adding the following
2 section:-

3 Section 76. (a) There shall be a permanent commission on reparations. The commission
4 shall consist of: not less than 9 nor more than 15 members appointed by the governor, from a list
5 provided by the senate president , 1 of whom shall be a person from an academic field that has
6 expertise in reparatory justice and sovereignty, 1 of whom shall be an expert from the field of
7 social science with expertise in economics, policy, law and the impact that society has had on
8 individuals' health outcomes, life expectancy, safety, enfranchisement, well-being, freedom of
9 movement and ability to thrive, 2 of whom shall be representatives of major civil society and
10 reparations organizations that have historically championed the cause of reparatory justice and 5
11 of whom shall be persons with respected track records in grassroots organizing; 2 members
12 appointed by the senate president; 2 members appointed by the speaker of the house of
13 representatives; 1 member appointed by the attorney general, who shall work within the civil

14 rights division of the office of the attorney general; and 2 members appointed by the house and
15 senate chairs of the joint committee on racial equity, civil rights and inclusion; 4 members
16 chosen from economists with expertise in quantitative analysis to estimate cost, estimate
17 economic implications and research and develop methods to disperse reparations, historians and
18 licensed clinical social workers with expertise on the psychological and emotional harm or
19 impact of race-based injustice and collective and individual trauma.

20 Not more than 4 members of the commission shall be members of the legislature.

21 Members shall be drawn from diverse backgrounds to represent the interests of residents of
22 African descent and shall have experience working to implement restorative justice reform and,
23 to the extent possible, represent geographically diverse areas of the commonwealth.

24 The commission shall elect from among its members a chair, vice chair and other
25 officers it considers necessary.

26 (b) Vacancies in the membership of the commission shall not affect the powers of the
27 commission and shall be filled by the original appointing authority for the balance of the
28 unexpired term.

29 (c) Eight members of the commission shall constitute a quorum.

30 (d) The commission may establish a reasonable per diem compensation, subject to
31 appropriation, for its members for attendance at not more than 10 meetings; provided, however,
32 that non-legislative members shall also be entitled to compensation, subject to appropriation, for
33 research and labor. The members of the commission shall be reimbursed for any usual and
34 customary expenses incurred in the performance of their duties.

35 (e) The commission shall be a resource to the commonwealth on the subject of
36 reparations. It shall be a primary function of the commission to study and recommend reparative
37 actions for slavery, its consequences and continued vestiges on residents of African descent,
38 including, but not limited to: (i) the institution of slavery, including both the transatlantic and
39 domestic trade that existed from 1565 in colonial Florida and from 1619 to 1865, inclusive,
40 within the other colonies that became the United States; (ii) the de jure and de facto
41 discrimination against residents of African descent and their descendants from the end of the
42 Civil War to the present, including economic, political, educational and social discrimination;
43 (iii) the lingering negative effects of the institution of slavery and discrimination against people
44 of African descent; (iv) the manner in which instructional resources and technologies are being
45 used to deny the inhumanity of slavery and the crime against humanity committed against people
46 of African descent; (v) any individuals or individual businesses, corporations or any other
47 commercial or ecumenical entity in the commonwealth which facilitated or participated in the
48 chattel slavery process by financing, owning, propagating, investing in or in any other manner
49 facilitating or benefiting from slavery; and (vi) the direct benefits to societal institutions, public
50 and private, including higher education, corporate, religious and associational, whether for profit
51 or non-profit organizations, that have benefitted in sustaining exploitative relationships with
52 residents of African descent. In performing this function, the commission shall be explicit and
53 intentional in resourcing oral histories and community-based knowledge to inform the scope and
54 direction of the commission work.

55 (f) Furthermore, the commission shall (i) recommend and implement appropriate ways to
56 educate the public of the commission's findings; (ii) recommend appropriate remedies in
57 consideration of the commission's findings and a dedicated deliberation process to distinguish

58 between and identify individual and group benefits and any policy remedies proposed; (iii)
59 recommend reparation proposals for residents of African descent, with special consideration for
60 African Americans who are descendants of persons enslaved in the United States; and (iv) seek
61 the assistance of agencies of the commonwealth to develop and evaluate processes and
62 applications for reparations, requiring the Governor to include in the annual budget bill such
63 sums as necessary to carry out the Act .

64 In making recommendations under this subsection, the commission shall address, among
65 other issues: (A) how the recommendations comport with international standards of remedy for
66 wrongs and injuries caused by the state, including full reparations and special measures, as
67 understood by various relevant international protocols, laws and findings; (B) how the
68 commonwealth will offer a formal apology on behalf of the people of the commonwealth for the
69 perpetration of gross human rights violations and crimes against humanity on African
70 Americans, freedmen and freedwomen and their descendants; (C) how laws and policies of the
71 commonwealth that continue to disproportionately and negatively affect African Americans,
72 freedmen and freedwomen and their descendants as a group and perpetuate the lingering material
73 and psychosocial effects of slavery can be eliminated; (D) how the injuries resulting from
74 matters described in this section can be reversed and how to provide appropriate policies,
75 programs, projects and recommendations for the purpose of reversing those injuries; (E) how, in
76 consideration of the commission's findings, any form of compensation to African Americans,
77 with a special consideration for African Americans who are descendants of persons enslaved in
78 the United States, can be calculated; (F) what form of compensation should be awarded, through
79 what instrumentalities and who should be eligible for such compensation; and (G) how, in
80 consideration of the commission's findings, any other forms of rehabilitation or restitution to

81 African Americans, freedmen and freewomen and their descendants are warranted and what
82 form and scope those measures should take. The commission shall submit a written report of its
83 findings and recommendations to the clerks of the senate and the house of representatives not
84 later than 2 years after the date of the first meeting of the commission.

85 (g) The commission shall identify, compile and synthesize the relevant evidentiary
86 documentation on the institution of slavery, which shall include, but not be limited to, the facts
87 related to the: (i) capture and procurement of human beings in Africa; (ii) transportation of
88 human beings to the United States and the colonies that became the United States for the purpose
89 of enslavement, free labor, skills extraction and intellectual, sexual and cultural exploitation,
90 including their treatment during transportation; (iii) sale and acquisition of residents of African
91 descent as chattel property in interstate and intrastate commerce; (iv) treatment of residents of
92 African descent enslaved in the colonies and the United States, including the deprivation of their
93 freedom, exploitation of their labor and destruction of their culture, language, religion and
94 families; (v) extensive denial of humanity, sexual abuse and chattelization of persons; (vi)
95 federal and state laws that produced loss of sovereignty and discriminated against formerly
96 enslaved residents of African descent and their descendants who were deemed United States
97 citizens from 1868 to the present; (vii) other forms of discrimination in the public and private
98 sectors against residents of African descent and their descendants who were deemed United
99 States citizens from 1868 to the present, including, but not limited to, redlining, educational
100 funding discrepancies and predatory financial practices; and (viii) lingering negative effects of
101 the institution of slavery and the matters described in this section on living African Americans
102 who are descendants of persons enslaved in the United and society as a whole in the United
103 States.

104 (h) The commission shall have the power to:

105 (i) hold hearings at any time and location in the commonwealth and request the
106 attendance and testimony of witnesses at said hearings; (ii) request the production of books,
107 records, correspondence, memoranda, papers and documents; (iv) research methods and
108 materials for facilitating education, community dialogue, symbolic acknowledgment and other
109 formal actions leading toward repair and a sense of justice among the people of the
110 commonwealth; (v) recommend appropriate ways to educate the public about the findings and
111 recommendations in the commission's report; (vi) consider such other matters relating to the
112 institution and legacies of slavery in the commonwealth as the members of the commission deem
113 appropriate; (vii) provide lineage-based research and tools to residents of the commonwealth
114 who are descendants of chattel slavery within the United States; and (viii) seek an order from a
115 superior court compelling testimony or compliance with a subpoena.

116 (i) The commission may delegate to any subcommittee or member of the commission any
117 action, which the commission is authorized to do or make.

118 (j) The commission may request from all state agencies such information and assistance
119 as the commission may require. Each state agency shall cooperate with requests from the
120 commission and shall provide such information and assistance requested, as permitted by law.
121 The commission shall keep confidential any information received from a state agency that is
122 confidential or not considered a public record under clause Twenty-sixth of section 7 of chapter
123 4 of the General Laws and chapter 66 of the General Laws.

124 (k) In furtherance of the responsibilities established under this section, the commission
125 may: (i) appoint and fix the compensation of such personnel as the commission considers

126 appropriate; (ii) procure supplies, services and property by contract in accordance with
127 applicable laws and rules; and (iii) enter into contracts for the purposes of conducting research or
128 surveys, preparing reports and performing other activities necessary for the discharge of the
129 duties of the commission with federal or state departments, agencies and other instrumentalities
130 and private entities.

131 (l) Any reparation actions undertaken pursuant to this section shall be in addition to any
132 reparation actions taken at the federal or local level.

133 SECTION 2. The first meeting of the commission shall occur not later than 90 days after
134 the effective date of this act.