

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

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:

Liz Miranda

DISTRICT/ADDRESS:

Second Suffolk

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1053 OF 2023-2024.]

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 15 members appointed as follows: 7 members shall be appointed by the governor,
5 including 1 person from an academic field with expertise in reparatory justice and sovereignty; 1
6 expert from the field of social science with expertise in economics, policy, law, and the societal
7 impacts on health outcomes, life expectancy, safety, enfranchisement, well-being, freedom of
8 movement, and the ability to thrive; 2 representatives of major civil society and reparations
9 organizations that have historically championed the cause of reparatory justice; and 3 persons
10 with respected track records in grassroots organizing.

11 Three members shall be appointed by the senate president, including 1 economist with
12 expertise in quantitative analysis to estimate costs, economic implications, and methods to
13 disperse reparations, and 2 individuals from the fields of history, economics, or social science
14 with expertise related to reparations. Three members shall be appointed by the speaker of the
15 house of representatives, including 1 historian with expertise in the historical impacts of race-
16 based injustice, and 2 individuals with expertise in related fields, such as licensed clinical social
17 workers specializing in collective and individual trauma.

18 One member shall be appointed by the attorney general, who shall work within the civil
19 rights division of the office of the attorney general. One member shall be appointed jointly by the
20 house and senate chairs of the joint committee on racial equity, civil rights, and inclusion,
21 selected from individuals with relevant expertise in the psychological and emotional impacts of
22 race-based injustice.

23 Subject area experts appointed to the commission shall include, for example, economists,
24 experts on housing, legal experts, community development experts, education experts, social
25 justice experts, and public health experts.

26 Not more than 4 members of the commission shall be members of the legislature.
27 Members shall be drawn from diverse backgrounds to represent the interests of residents of
28 African descent and shall have experience working to implement restorative justice reform and,
29 to the extent possible, represent geographically diverse areas of the commonwealth.

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

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

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

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

41 (e) The commission shall be a resource to the commonwealth on the subject of
42 reparations. It shall be a primary function of the commission to study and recommend reparative
43 actions for slavery, its consequences and continued vestiges on residents of African descent,
44 including, but not limited to: (i) the institution of slavery, including both the transatlantic and
45 domestic trade that existed from 1565 in colonial Florida and from 1619 to 1865, inclusive,
46 within the other colonies that became the United States; (ii) the de jure and de facto
47 discrimination against residents of African descent and their descendants from the end of the
48 Civil War to the present, including economic, political, educational and social discrimination;
49 (iii) the lingering negative effects of the institution of slavery and discrimination against people
50 of African descent; (iv) the manner in which instructional resources and technologies are being
51 used to deny the inhumanity of slavery and the crime against humanity committed against people
52 of African descent; (v) any individuals or individual businesses, corporations or any other
53 commercial or ecumenical entity in the commonwealth which facilitated or participated in the

54 chattel slavery process by financing, owning, propagating, investing in or in any other manner
55 facilitating or benefiting from slavery; and (vi) the direct benefits to societal institutions, public
56 and private, including higher education, corporate, religious and associational, whether for profit
57 or non-profit organizations, that have benefitted in sustaining exploitative relationships with
58 residents of African descent. In performing this function, the commission shall be explicit and
59 intentional in resourcing oral histories and community-based knowledge to inform the scope and
60 direction of the commission work.

61 (f) Furthermore, the commission shall (i) recommend and implement appropriate ways to
62 educate the public of the commission's findings; (ii) recommend appropriate remedies in
63 consideration of the commission's findings and a dedicated deliberation process to distinguish
64 between and identify individual and group benefits and any policy remedies proposed; (iii)
65 recommend reparation proposals for residents of African descent, with special consideration for
66 African Americans who are descendants of persons enslaved in the United States; and (iv) seek
67 the assistance of agencies of the commonwealth to develop and evaluate processes and
68 applications for reparations, requiring the Governor to include in the annual budget bill such
69 sums as necessary to carry out the Act.

70 In making recommendations under this subsection, the commission shall address, among
71 other issues: (A) how the recommendations comport with international standards of remedy for
72 wrongs and injuries caused by the state, including full reparations and special measures, as
73 understood by various relevant international protocols, laws and findings; (B) how the
74 commonwealth will offer a formal apology on behalf of the people of the commonwealth for the
75 perpetration of gross human rights violations and crimes against humanity on African
76 Americans, freedmen and freedwomen and their descendants; (C) how laws and policies of the

77 commonwealth that continue to disproportionately and negatively affect African Americans,
78 freedmen and freedwomen and their descendants as a group and perpetuate the lingering material
79 and psychosocial effects of slavery can be eliminated; (D) how the injuries resulting from
80 matters described in this section can be reversed and how to provide appropriate policies,
81 programs, projects and recommendations for the purpose of reversing those injuries; (E) how, in
82 consideration of the commission's findings, any form of compensation to African Americans,
83 with a special consideration for African Americans who are descendants of persons enslaved in
84 the United States, can be calculated; (F) what form of compensation should be awarded, through
85 what instrumentalities and who should be eligible for such compensation; and (G) how, in
86 consideration of the commission's findings, any other forms of rehabilitation or restitution to
87 African Americans, freedmen and freewomen and their descendants are warranted and what
88 form and scope those measures should take. The commission shall submit a written report of its
89 findings and recommendations to the clerks of the senate and the house of representatives not
90 later than 2 years after the date of the first meeting of the commission.

91 (g) The commission shall identify, compile and synthesize the relevant evidentiary
92 documentation on the institution of slavery, which shall include, but not be limited to, the facts
93 related to the: (i) capture and procurement of human beings in Africa; (ii) transportation of
94 human beings to the United States and the colonies that became the United States for the purpose
95 of enslavement, free labor, skills extraction and intellectual, sexual and cultural exploitation,
96 including their treatment during transportation; (iii) sale and acquisition of residents of African
97 descent as chattel property in interstate and intrastate commerce; (iv) treatment of residents of
98 African descent enslaved in the colonies and the United States, including the deprivation of their
99 freedom, exploitation of their labor and destruction of their culture, language, religion and

100 families; (v) extensive denial of humanity, sexual abuse and chattelization of persons; (vi)
101 federal and state laws that produced loss of sovereignty and discriminated against formerly
102 enslaved residents of African descent and their descendants who were deemed United States
103 citizens from 1868 to the present; (vii) other forms of discrimination in the public and private
104 sectors against residents of African descent and their descendants who were deemed United
105 States citizens from 1868 to the present, including, but not limited to, redlining, educational
106 funding discrepancies and predatory financial practices; and (viii) lingering negative effects of
107 the institution of slavery and the matters described in this section on living African Americans
108 who are descendants of persons enslaved in the United and society as a whole in the United
109 States. (h) The commission shall have the power to: (i) hold hearings at any time and location in
110 the commonwealth and request the attendance and testimony of witnesses at said hearings; (ii)
111 request the production of books, records, correspondence, memoranda, papers and documents;
112 (iv) research methods and materials for facilitating education, community dialogue, symbolic
113 acknowledgment and other formal actions leading toward repair and a sense of justice among the
114 people of the commonwealth; (v) recommend appropriate ways to educate the public about the
115 findings and recommendations in the commission's report; (vi) consider such other matters
116 relating to the institution and legacies of slavery in the commonwealth as the members of the
117 commission deem appropriate; (vii) provide lineage-based research and tools to residents of the
118 commonwealth who are descendants of chattel slavery within the United States; and (viii) seek
119 an order from a superior court compelling testimony or compliance with a subpoena.

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

122 (j) The commission may request from all state agencies such information and assistance
123 as the commission may require. Each state agency shall cooperate with requests from the
124 commission and shall provide such information and assistance requested, as permitted by law.
125 The commission shall keep confidential any information received from a state agency that is
126 confidential or not considered a public record under clause Twenty-sixth of section 7 of chapter
127 4 of the General Laws and chapter 66 of the General Laws.

128 (k) In furtherance of the responsibilities established under this section, the commission
129 may: (i) appoint and fix the compensation of such personnel as the commission considers
130 appropriate; (ii) procure supplies, services and property by contract in accordance with
131 applicable laws and rules; and (iii) enter into contracts for the purposes of conducting research or
132 surveys, preparing reports and performing other activities necessary for the discharge of the
133 duties of the commission with federal or state departments, agencies and other instrumentalities
134 and private entities.

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

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