

SENATE No. 1050

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda, (BY REQUEST)

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 creating reparations for the descendants of American slavery and piloting universal basic income.

PETITION OF:

NAME:

Colomba Sofia Klenner Valencia

DISTRICT/ADDRESS:

SENATE No. 1050

By Ms. Miranda (by request), a petition (accompanied by bill, Senate, No. 1050) of Colomba Sofia Klenner Valencia for legislation to create reparations for the descendants of American slavery and piloting universal basic income. The Judiciary.

The Commonwealth of Massachusetts

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

An Act creating reparations for the descendants of American slavery and piloting universal basic income.

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. The Commonwealth of Massachusetts acknowledges and apologizes for its
2 willful participation in the institution of slavery. Slavery was an official policy of the
3 Massachusetts Bay Colony and the United States Government from 1619 through 1865 that
4 constituted an immoral and inhumane deprivation of life, liberty, cultural heritage, and the fruits
5 of their labor for nearly 4,000,000 Africans and tens of thousands of Indigenous people with on-
6 going effects for their descendants and a legacy of persistent systemic structures of
7 discrimination in the Commonwealth. Following abolition, governments at the Federal, State,
8 and local level continued to perpetuate, condone and often profit from practices that continued to
9 brutalize and disadvantage African Americans and Indigenous people, including share cropping,
10 convict leasing, Jim Crow, redlining, unequal education, and disproportionate treatment at the
11 hands of the criminal justice system. As a result of the historic and continued discrimination,
12 African Americans and Indigenous people continue to suffer debilitating economic, educational,

13 and health hardships including but not limited to having nearly 1,000,000 Black people
14 incarcerated; an unemployment rate more than twice the current White unemployment rate; and
15 an average of less than 1/16 of the wealth of White families, a disparity which has worsened, not
16 improved over time. Direct financial reparations represent one critically necessary step of many
17 that must be taken to correct the legacy of this institution.

18 SECTION 2. An excise tax is hereby imposed on each specified applicable educational
19 institution for the taxable year a tax equal to 3 percent of the aggregate fair market value of the
20 assets of the institution at the end of the preceding taxable year. The term “specified applicable
21 educational institution” means any applicable educational institution, other than an institution
22 which is religious in nature, the aggregate fair market value of the assets of which at the end of
23 the preceding taxable year (other than those assets which are used directly in carrying out the
24 institution’s exempt purpose) is at least \$1,500,000,000. For assets, the rules of section 4968(d)
25 of the Internal Revenue Code shall apply.

26 SECTION 3. There shall be established and set up on the books of the commonwealth a
27 separate fund, to be known as the Reparations for Descendants of American Slavery Fund. The
28 Reparations for Descendants of American Slavery Fund, subject to appropriation, shall consist of
29 all monies received on account of the commonwealth as a result of revenue generated by the
30 excise tax imposed by section 1.

31 SECTION 4. There shall be a Reparations for Descendants of American Slavery Fund
32 board consisting of individuals from and with experience advocating on behalf of descendants of
33 American slavery. The board shall be comprised entirely of descendants of American slavery and
34 shall consist of: 1 person appointed by the governor with a background in budgeting and

35 administrative operations, who shall serve as chair; 2 persons appointed by the treasurer and
36 receiver-general with a background in public finance; 2 person appointed by the attorney general
37 with relevant experience; 1 person appointed by the senate president with relevant experience;
38 and 1 person appointed by the speaker of the house of representatives with relevant experience.
39 Board members shall serve 2-year terms; provided, however, that at the end of a term a board
40 member may be reappointed once by their appointing authority; provided further, that any
41 absence in a seat on the board shall be filled by the appropriate appointing authority within 60
42 days. The appointing authority may remove a board member who was appointed by that
43 appointing authority for cause. Before removal, the board member shall be provided with a
44 written statement of the reason for removal and an opportunity to be heard. The board shall
45 promulgate regulations for the Reparations for Descendants of American Slavery Fund to
46 distribute monthly and direct monetary reparations to the descendants of African and Indigenous
47 slaves and other individuals at the discretion of the Descendants of American Slavery board,
48 coordinate with state agencies to create practical processes to achieve this end with limited
49 administrative overhead costs, and collecting data on these processes to inform efforts to create a
50 universal basic income. Board members may, at the discretion of the secretary of housing and
51 economic development, receive stipends in compensation for their time and service under section
52 4 of chapter 7. Board members may be employed by another business that does not conflict with
53 the duties of their office.