

STATE OF NEW YORK

5603

2025-2026 Regular Sessions

IN ASSEMBLY

February 18, 2025

Introduced by M. of A. LUCAS -- read once and referred to the Committee on Governmental Operations

AN ACT to acknowledge New York state's role in the fundamental injustice and inhumanity of the institution of slavery; to establish the New York State American Freedmen Task Force on Reparations Remedies; to examine all aspects of slavery, subsequent de jure and de facto racial, social and economic discrimination against American Freedmen and the impact of these forces on living American Freedmen and to make determinations regarding compensation and repair; to establish a New York State Freedmen's Bureau charged with the distribution of reparations & reparative justice passed in legislature by the state; and making an appropriation therefor; and providing for the repeal of certain provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. This act shall be known and may be cited as the "New York
2 State American Freedmen Task Force on Reparations Remedies Act".
3 § 2. Legislative intent. The Legislature makes the following findings
4 and declarations:
5 (a) Approximately 450,000+ Africans were trafficked and enslaved in
6 the United States and the colonies that became the United States from
7 1619 to 1865, inclusive. At the peak of slavery their descendants
8 numbered 4,000,000.
9 (b) The institution of slavery was constitutionally and statutorily
10 sanctioned by the United States from 1776 through 1865, inclusive.
11 (c) The chattel slavery that flourished in the United States consti-
12 tuted an immoral and inhumane deprivation of Africans' life, liberty,
13 citizenship rights, and cultural heritage and denied them the fruits of
14 their own labor.
15 (d) A preponderance of scholarly, legal, and community evidentiary
16 documentation, as well as popular culture markers, constitute the basis

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 for inquiry into the ongoing effects of the institution of slavery and
2 its legacy embodied in persistent systemic structures of discrimination
3 on living descendants of persons enslaved in the United States, American
4 Freedmen.

5 (e) Contrary to what many people believe, slavery was not just a
6 southern institution. Prior to the American Revolution, there were more
7 enslaved Africans in New York City than in any other city except Charle-
8 ston, South Carolina. During this period, slaves accounted for 20% of
9 the population of New York and approximately 40% of colonial New York
10 households owned slaves. In 1799 the New York State Legislature passed
11 "An Act for the Gradual Abolition of Slavery". This legislation was a
12 first step in the direction of emancipation but did not have an immedi-
13 ate effect on or affect all enslaved people. Rather, it provided for
14 gradual manumission. All children born to enslaved women after July 4,
15 1799, would be freed, but only after their most productive years: age 28
16 for men and age 25 for women. Enslaved persons already in servitude
17 before July 4, 1799, were reclassified as "indentured servants", but in
18 reality, remained enslaved for the duration of their lives. In 1817, the
19 Legislature enacted a statute that gave freedom to New York enslaved
20 people who had been born before July 4, 1799. This statute did not
21 become effective until July 4, 1827, however, despite these laws, there
22 were exceptions under which certain persons could still own slaves;
23 non-residents could enter New York with slaves for up to nine months,
24 and part-time residents were allowed to bring their slaves into the
25 state temporarily. The nine-month exception remained law until its
26 repeal in 1841 when the North was redefining itself as the "free" region
27 in advance of the Civil War.

28 (f) Following the abolition of slavery, the United States government
29 at the federal, state, and local levels continued to perpetuate,
30 condone, and often profit from practices that maintained brutalization
31 and disadvantage for descendants of persons enslaved in the United
32 States, American Freedmen, including but not limited to Black Codes,
33 sharecropping, convict leasing, Jim Crow laws, lynching, redlining,
34 unequal education, etc.

35 (g) As a result of the badges and incidents of slavery, Jim Crow, and
36 continued targeted discriminatory policy, the descendants of persons
37 enslaved in the United States, American Freedmen, continue to suffer
38 debilitating economic, educational, and health hardships.

39 § 3. Definition. For the purposes of this act, the term American
40 Freedmen shall mean those persons who have at least one ancestor that
41 was enslaved in the United States of America, who was emancipated in
42 1863 by way of the Emancipation Proclamation or in 1865 by way of the
43 13th Amendment to the Constitution, and have been despoiled their rights
44 as citizens due to the badges, incidents and vestiges of slavery.

45 § 4. Establishment, purpose, and duties of the task force. (a) Estab-
46 lishment. There is hereby established the New York State American Freed-
47 men Task Force on Reparations Remedies, which may be referred to in this
48 act as the "task force".

49 (b) Duties. The task force shall perform the following duties:

50 (i) Study the current condition of individuals who descend from
51 persons enslaved in the United States, American Freedmen, both across
52 the nation, generally, and in the state of New York, specifically, as a
53 result of:

54 (A) The de jure and de facto discrimination against American Freedmen
55 and their descendants from the end of the Civil War to the present,
56 including economic, political, educational, and social discrimination.

1 (B) The lingering negative effects of the institution of slavery and
2 discrimination on living descendants of persons enslaved in the United
3 States, American Freedmen.

4 (C) The manner in which instructional resources and technologies are
5 being used to deny the inhumanity of slavery and the crime against
6 humanity committed against descendants of persons enslaved in the United
7 States, American Freedmen, in New York state and the United States.

8 (D) The larger role of northern complicity in the disproportionately
9 southern-based institution of slavery:

10 1. The state of New York mercantile merchants profited immensely from
11 the sale of raw cotton to European mills transported from the southern
12 states.

13 2. New York businesspeople assisted planters in purchasing the land
14 slaves worked, and the tools they used to labor.

15 3. New York's textile industry specialized in the clothes slaves wore
16 called "negro-cloth".

17 4. New York manufactured whips that overseers wielded, the books that
18 planters read, and the finery plantation mistresses prized.

19 5. New York lenders loaned money to allow planters to purchase slaves,
20 and insurance to protect their investments.

21 6. New York invested in transatlantic, international, and coastal
22 shipping lines that shipped between southern ports and New York.

23 (E) The direct benefits of slavery and discrimination to societal
24 institutions, public and private, including higher education, corporate,
25 religious, and associational.

26 (ii) Develop reparations remedies from which New York ratified the
27 U.S. Constitution and entered the Union as the eleventh State in 1788.

28 (iii) Recommend appropriate ways to educate the New York and American
29 public of the task force's findings.

30 (iv) Recommend appropriate remedies in consideration of the task
31 force's findings on the matters described in this section, including,
32 but not limited to:

33 (A) Determine how the state of New York will offer a formal apology on
34 behalf of the people of New York for the perpetration of gross human
35 rights violations and crimes against humanity on individuals who descend
36 from persons enslaved in the United States.

37 (B) Document the injuries resulting from matters described in this
38 subdivision can be reversed and how to provide appropriate policies,
39 programs, projects, and recommendations for the purpose of reversal of
40 the injuries.

41 (C) Propose the form and scope that measures should be taken from the
42 task force's findings in consideration of the task force's findings, any
43 other forms of recompense to descendants of persons enslaved in the
44 United States, American Freedmen are warranted and what form and scope
45 those measures should take.

46 (D) Draft a resolution on how the state of New York can advocate the
47 adoption of a national plan for reparations for descendants of persons
48 enslaved in the United States.

49 (v) Submit a preliminary report of its findings to the legislature no
50 later than sixteen months after the date of the first meeting of the
51 task force. The final report of its recommendations shall be submitted
52 to the legislature no later than fourteen months after the preliminary
53 report is submitted.

54 (vi) Designate individuals who are American Freedmen as the population
55 that will be the focus and sole beneficiaries of the task force's analy-
56 sis.

1 (vii) Ensure that reparations proposals adhere to the five forms of
2 reparations as defined by international law: (A) compensation; (B) reha-
3 bilitation; (C) restitution; (D) satisfaction; and (E) guarantees of
4 non-repetition.

5 § 5. Membership of the task force. (a) Appointment of members. (i) The
6 task force shall be composed of eleven members who shall be appointed
7 within ninety days after the effective date of this act, as follows:

8 (A) Five members shall be appointed by the governor; and

9 (B) Three members each shall be appointed by the president pro tempore
10 of the senate and the speaker of the assembly.

11 (ii) The governor's appointees shall include all of the following:

12 (A) One appointee from the field of academia that has expertise in
13 civil rights.

14 (B) One appointee with experience working to implement racial justice
15 reform.

16 (C) Two appointees from grassroots organizations that are presently
17 championing the cause of reparatory justice for American Freedmen.

18 (D) One appointee who is an expert in constitutional law.

19 (iii) No more than four members of the legislature shall be on the
20 task force.

21 (iv) Task force members shall be in support of American Freedmen line-
22 age-based reparations.

23 (b) Qualification of members. All members shall have demonstrated
24 through prior community service and/or professional activities that they
25 represent the interests of American Freedmen within communities through-
26 out the state, possess expertise, at least, in the fields of history,
27 civil rights, law, economics, and psychology, and, to the extent possi-
28 ble, represent geographically diverse areas of the state.

29 (c) Meetings of the task force. (i) The governor shall call the first
30 meeting no later than thirty days after the members of the task force
31 have been appointed.

32 (ii) Six members of the task force shall constitute a quorum.

33 (iii) The task force shall elect a chair and vice-chair from among its
34 members. The term of office of each shall be for the life of the task
35 force.

36 (d) Compensation. (i) The members of the task force shall receive no
37 compensation for their service as members, but shall be reimbursed for
38 their actual and necessary expenses incurred in the performance of their
39 duties.

40 (ii) For attendance at meetings during adjournment of the legislature,
41 a legislative member of the task force shall be entitled to per diem
42 compensation and reimbursement of expenses upon appropriation by the
43 legislature.

44 (iii) Non-legislative members of the task force shall be entitled to
45 per diem compensation and reimbursement of expenses upon appropriation
46 by the legislature.

47 § 6. Powers of the task force. (a) Powers; generally. The task force,
48 for the purpose of carrying out the provisions of this act, has the
49 authority to:

50 (i) create subcommittees.

51 (ii) create its own bylaws.

52 (iii) hold such hearings and sit and act at such times and at such
53 places in the United States, as the task force considers appropriate.

54 (iv) request the production of books, records, correspondence, memo-
55 randa, papers, and documents.

1 (v) seek an order from a Superior Court compelling testimony or
2 compliance with a subpoena.

3 (b) Powers of subcommittees and members. Any subcommittee or member of
4 the task force may, if authorized by the task force, take any action
5 which the task force is authorized to take by this section.

6 (c) Obtaining official data. The task force may acquire directly from
7 the head of any state agency, or instrumentality of the state, available
8 information which the task force considers useful in the discharge of
9 its duties. All departments, agencies, and instrumentalities of the
10 state shall cooperate with the task force with respect to such informa-
11 tion and shall furnish all information requested by the task force to
12 the extent permitted by law. The task force shall keep confidential any
13 information received from a state agency that is meant to be confiden-
14 tial or exempt from article 6 of the public officers law.

15 § 7. Termination. The task force shall terminate ninety days after the
16 date on which the task force submits its final report to the Legislature
17 as provided in paragraph (v) of subdivision (b) of section four of this
18 act.

19 § 8. Administrative provisions. (a) The task force may appoint and fix
20 the compensation of such personnel as the task force considers appropri-
21 ate.

22 (b) The task force shall have the administrative, technical, and legal
23 assistance of the state.

24 (c) The task force may procure supplies, services, and property by
25 contract in accordance with applicable laws and rules including, but not
26 limited to, sections one hundred three and one hundred four of the
27 general municipal law.

28 (d) The task force may enter into contracts for the purposes of
29 conducting research or surveys, preparing reports, and performing other
30 activities necessary for the discharge of the duties of the task force
31 with state departments, agencies, and other instrumentalities, federal
32 departments, agencies, and other instrumentalities, and private enti-
33 ties.

34 § 9. New York state freedmen's bureau. There is hereby established the
35 New York state freedmen's bureau, which may be referred to in this act
36 as the "freedmen's bureau", charged with the distribution of reparations
37 and reparative justice as recommended by the task force and further
38 passed in legislation by the state. In addition, the bureau shall focus
39 on, but not be limited to: genealogical research, community life, educa-
40 tion, and workforce development for American Freedmen. The bureau's
41 initial tasks upon formation will be genealogical research specifically
42 for connecting American Freedmen with their lineage. Also, during the
43 task force's existence the bureau will serve to take on all genealogical
44 work directed by the task force. Once the task force concludes, its
45 findings and recommendations will direct the continued scope of the New
46 York freedmen's bureau which will be tasked with being the central
47 administrator of programs recommended by the task force for American
48 Freedmen which become law.

49 § 10. Federal reparations. Any state-level reparation actions that are
50 undertaken as a result of this task force are not a replacement for any
51 reparations enacted at the federal level, and shall not be interpreted
52 as such.

53 § 11. Budget. Monies appropriated for the New York state American
54 Freedmen task force on reparations remedies and the New York state
55 freedmen's bureau shall be distributed as follows:

1 (a) New York freedmen's bureau: fifty million dollars (\$50,000,000)
2 per fiscal year.

3 (b) New York state American Freedmen task force on reparations reme-
4 dies: twenty-two million dollars (\$22,000,000) which shall be used as
5 follows:

6 (i) Member reimbursement: two hundred fifty thousand dollars
7 (\$250,000). Member reimbursement shall not exceed two hundred fifty
8 thousand dollars (\$250,000) over the life of the task force. Receipts
9 shall be required for any reimbursement and only preauthorized expenses
10 shall be covered from any funds appropriated to the task force.

11 (ii) Expert witness travel, lodging and incidental costs: five hundred
12 thousand dollars (\$500,000).

13 (iii) Marketing: ten million dollars (\$10,000,000).

14 (iv) Community outreach and education: ten million dollars
15 (\$10,000,000).

16 (v) Administrative staff, equipment and office space: one million two
17 hundred fifty thousand dollars (\$1,250,000).

18 § 12. Appropriation. The sum of seventy-two million dollars
19 (\$72,000,000), or so much thereof as may be necessary, is hereby appro-
20 priated to the New York state American Freedmen task force on repara-
21 tions remedies and the New York freedmen's bureau from any moneys in the
22 state treasury in the general fund to the credit of the state purposes
23 account not otherwise appropriated for the purposes of carrying out the
24 provisions of this act. Such sum shall be payable on the audit and
25 warrant of the state comptroller on vouchers certified or approved by
26 the chair of the New York state American Freedmen task force on repara-
27 tions remedies or the director of the New York state freedmen's bureau,
28 or their duly designated representative in the manner provided by law.

29 § 13. This act shall take effect immediately and sections three, four,
30 five, six, seven, and eight of this act shall expire and be deemed
31 repealed ninety days after the New York state American Freedmen task
32 force on reparations remedies submits its final report to the legisla-
33 ture as provided in paragraph (v) of subdivision (b) of section four of
34 this act; provided that, the chair of the New York state American Freed-
35 men task force on reparations remedies shall notify the legislative bill
36 drafting commission upon the submission of its report as provided in
37 paragraph (v) of subdivision (b) of section four of this act in order
38 that the commission may maintain an accurate and timely effective data
39 base of the official text of the laws of the state of New York in furth-
40 erance of effectuating the provisions of section 44 of the legislative
41 law and section 70-b of the public officers law.