

AMENDED IN ASSEMBLY JULY 8, 2015
AMENDED IN ASSEMBLY JUNE 29, 2015
AMENDED IN SENATE APRIL 27, 2015
AMENDED IN SENATE APRIL 14, 2015
AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 539

Introduced by Senator Glazer

(Principal coauthor: Senator Hall)

*(Coauthors: Senators Block, Hueso, Huff, Lara, Mendoza, and
Wieckowski)*

*(Coauthors: Assembly Members Alejo, Baker, Chu, Cooper, Gipson,
Gonzalez, Jones-Sawyer, Weber, and Williams)*

February 26, 2015

An act to amend the heading of Chapter 2.9 (commencing with Section 8195) of Division 1 of Title 2 of, and to add Section 8197 to, the Government Code, relating to public property.

LEGISLATIVE COUNSEL'S DIGEST

SB 539, as amended, Glazer. Public property: names: Confederate States of America.

(1) Existing law prohibits the sale or display of the Battle Flag of the Confederacy, as specified, or its image, by the State of California, subject to exceptions serving educational or historical purposes.

This bill would, on and after January 1, 2017, prohibit the use of a name associated with the Confederate States of America to name schools, government buildings, parks, roads, and other state or local property. The bill would define a name associated with the Confederate

States of America to ~~include, but not be limited to,~~ *include* the name of an elected leader or a senior military officer of the Confederacy. The bill would require a name associated with the Confederate States of America used to name state or local property prior to January 1, 2017, to be changed and any sign associated with the name to be removed. By increasing the duties of local officials, this bill would impose a state-mandated local program. The bill would also make a statement of legislative findings and a conforming change.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Confederate States of America’s secessionist movement
- 4 was rooted in the defense of slavery.
- 5 (b) Currently, certain ideological groups use the symbols of this
- 6 movement to demean and offend whole segments of our society
- 7 while sowing racial divisions.
- 8 (c) The use of names of political leaders and senior military
- 9 officers of the Confederate States of America to name California
- 10 public schools, buildings, parks, roadways, and other state and
- 11 local property is antithetical to California’s mission for racial
- 12 equality.
- 13 (d) California is opposed to enshrining the names of those
- 14 associated with the Confederate States of America, the secessionist
- 15 movement, or their discriminatory ideals in our public schools,
- 16 buildings, parks, roadways, and other state and local property.
- 17 (e) *California celebrates individuals who represent aspirations*
- 18 *for social good, such as Frederick Douglass, one of America’s*
- 19 *great historical figures.*

1 (f) Frederick Douglass was an African American social
 2 reformer, abolitionist, orator, writer, and statesman. After escaping
 3 from slavery, he became a leader of the abolitionist movement,
 4 gaining note for his dazzling oratory and incisive antislavery
 5 writing, including his famous speech about what the 4th of July
 6 meant to slaves.

7 (g) Frederick Douglass became one of the most famous
 8 intellectuals of his time, advising presidents and lecturing to
 9 thousands on a range of causes, including women’s rights and
 10 Irish home rule. Among Douglass’ writings are several
 11 autobiographies eloquently describing his experiences in slavery
 12 and his life after the Civil War.

13 SEC. 2. The heading of Chapter 2.9 (commencing with Section
 14 8195) of Division 1 of Title 2 of the Government Code is amended
 15 to read:

16
 17 CHAPTER 2.9. ~~CONFEDERATE SYMBOLS~~ THE FREDERICK
 18 DOUGLASS LIBERTY ACT
 19

20 SEC. 3. Section 8197 is added to the Government Code, to
 21 read:

22 8197. (a) On and after January 1, 2017, a name associated
 23 with the Confederate States of America shall not be used to name
 24 state or local property. If a name associated with the Confederate
 25 States of America is used to name state or local public property
 26 prior to January 1, 2017, the name shall be changed and any sign
 27 associated with the name shall be removed.

28 (b) For the purpose of this section, “name associated with the
 29 Confederate States of America” ~~includes, but is not limited to,~~
 30 *includes* the name of an elected leader or a senior military officer
 31 of the Confederacy.

32 SEC. 4. If the Commission on State Mandates determines that
 33 this act contains costs mandated by the state, reimbursement to
 34 local agencies and school districts for those costs shall be made
 35 pursuant to Part 7 (commencing with Section 17500) of Division
 36 4 of Title 2 of the Government Code.

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