

AMENDED IN ASSEMBLY JULY 16, 2015
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~~ *an elected leader or senior military officer of 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 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. *The bill would prohibit its provisions from being construed to require renaming of a city, county, or other political jurisdiction named after an elected leader or senior military officer of the Confederate States of America, or from requiring the renaming of property, as specified, that incorporates the name of the city, county, or political subdivision in which it is situated.* 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.

1 (d) California is opposed to enshrining the names of those
2 associated with the Confederate States of America, the secessionist
3 movement, or their discriminatory ideals in our public schools,
4 buildings, parks, roadways, and other state and local property.

5 (e) California celebrates individuals who represent aspirations
6 for social good, such as Frederick Douglass, one of America’s
7 great historical figures.

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

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

20 SEC. 2. The heading of Chapter 2.9 (commencing with Section
21 8195) of Division 1 of Title 2 of the Government Code is amended
22 to read:

23
24 CHAPTER 2.9. THE FREDERICK DOUGLASS LIBERTY ACT
25

26 SEC. 3. Section 8197 is added to the Government Code, to
27 read:

28 8197. (a) On and after January 1, 2017, ~~a name associated~~
29 ~~with an elected leader or senior military officer of the Confederate~~
30 ~~States of America~~ shall not be used to name state or local property.
31 ~~If a name associated with the Confederate States of America such~~
32 ~~a name~~ is used to name state or local public property prior to
33 January 1, 2017, the name shall be changed and any sign associated
34 with the name shall be removed.

35 ~~(b) For the purpose of this section, “name associated with the~~
36 ~~Confederate States of America” includes the name of an elected~~
37 ~~leader or a senior military officer of the Confederacy.~~

38 (b) *Nothing in this section shall be construed to require the*
39 *renaming of a city, county, or other political jurisdiction that was*
40 *named after an elected leader or senior military officer of the*

1 *Confederate States of America prior to January 1, 2016, nor shall*
2 *this section be construed to require the renaming of any school,*
3 *building, park, roadway, or other property that incorporates the*
4 *name of the city, county, or political jurisdiction in which it is*
5 *situated.*

6 SEC. 4. If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.

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