

## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2212

Introduced 2/7/2025, by Sen. Willie Preston

#### SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 100/5-45.62 new

30 ILCS 105/5.1030 new

Creates the Enslavement Era Disclosure and Redress Act. Requires each contractor that participates in a competitive bid with the State to review its records for evidence of the contractor's or a related party's participation in slaveholding or the slave trade and to make certain disclosures with respect to that participation. Contains provisions concerning notice of public hearings following the disclosures. Provides that the Illinois Office of Equity shall appoint an administrator to oversee the program. Provides that each contractor that has disclosed participation in slaveholding or the slave trade shall provide the State with a statement of financial redress at the time of submitting its bid. Contains provisions creating a Redress Fund. Amends the State Finance Act to make conforming changes. Effective immediately.

LRB104 12206 HLH 22311 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Enslavement Era Disclosure and Redress Act.

6 Section 5. Definitions. In this Act:

7 "Administrator" means the individual appointed by the  
8 Office to oversee, implement, and enforce the provisions of  
9 this Act.

10 "Awarding authority" means a subordinate or component  
11 entity or person of the State that has the authority to enter  
12 into a contract or agreement for the provision of goods or  
13 services on behalf of the State.

14 "Company" means any person, firm, corporation,  
15 partnership, or other business entity.

16 "Contract" means any agreement, franchise, lease, or  
17 concession, including an agreement for any occasional  
18 professional or technical personal services, the performance  
19 of any work or service, the provision of any materials or  
20 supplies, or the rendering of any service to the State of  
21 Illinois or the public that is let, awarded, or entered into  
22 with or on behalf of the State or any awarding authority.

23 "Contractor" means any company that has submitted a bid or

1 is in the process of submitting a bid, whether competitive or  
2 not, to contract with the State or any awarding authority of  
3 the State.

4 "Descendant" means any living individual who can trace the  
5 individual's lineage or ancestry directly or indirectly to an  
6 enslaved person or persons. "Descendant" includes, but is not  
7 limited to, children, grandchildren, great-grandchildren, and  
8 subsequent generations, whether through biological or adoptive  
9 relationships, as well as individuals with verifiable  
10 genealogical evidence or documentation that establishes a  
11 familial connection to an enslaved person. The term  
12 "descendant" is intended to encompass a broad range of  
13 familial connections, recognizing the historical and societal  
14 impacts of the institution of slavery on the affected  
15 individuals and their families.

16 "Eligible redress project" means any reparatory project or  
17 program identified by the relevant stakeholders for  
18 reparations in tandem with the Illinois Legislative Black  
19 Caucus.

20 "Enslaved person" means any person who lived in the United  
21 States or the territories that preceded the establishment of  
22 the United States that became part of the United States:

23 (1) who was subject to the will of another;

24 (2) who was deemed by law to be the property of  
25 another;

26 (3) whose person and services were wholly under the

1 control of another in a state of enforced compulsory  
2 service; and

3 (4) who could not legally leave enforced compulsory  
4 service to another on such person's own volition at any  
5 time during the person's lifetime and during the  
6 Enslavement Era.

7 "Enslavement Era" means the historical period during which  
8 the institution of slavery was legally recognized, practiced,  
9 and enforced in the United States, spanning from the early  
10 17th Century until the ratification of the 13th Amendment to  
11 the United States Constitution in 1865.

12 "Investment" means to make use of an enslaved person for  
13 future benefits or advantages.

14 "Office" means the Illinois Office of Equity.

15 "Participant" means a person or entity who participated in  
16 slaveholding or participated in the slave trade.

17 "Participation in slaveholding" means having been a  
18 slaveholder during the Enslavement Era.

19 "Participation in the slave trade" means having:

20 (1) issued slavery insurance policies, including, but  
21 not limited to, policies issued to slaveholders for damage  
22 to or death of enslaved persons and policies issued to  
23 insure business transactions and operations related to the  
24 traffic in enslaved persons;

25 (2) purchased, sold, or held enslaved persons for the  
26 purposes of transferring them;

1           (3) provided loans to others to facilitate the  
2           purchase, sale, transport, or enslavement of enslaved  
3           persons;

4           (4) used enslaved persons as collateral for insurance  
5           policies, loans, or other transactions;

6           (5) facilitated the traffic in enslaved persons by  
7           transporting such persons by boat or rail; or

8           (6) provided any other services to aid and abet the  
9           traffic in enslaved persons.

10          "Predecessor entity" means an entity whose ownership,  
11          title, and interest, including all rights, benefits, duties,  
12          and liabilities were acquired in an uninterrupted chain of  
13          succession by the entity.

14          "Profit" means any economic advantage or financial benefit  
15          derived from the use of enslaved persons.

16          "Related party" means any parent entity, subsidiary, or  
17          predecessor entity of the contractor or company.

18          "Slaveholder" means an individual holder of an enslaved  
19          person or an owner of a company that held enslaved persons for  
20          the purpose of labor, purchase, sale, or financing.

21          "Slavery era insurance" means slavery insurance policies,  
22          including, but not limited to, policies issued to participants  
23          for damage to or death of enslaved persons and policies issued  
24          to insure business transactions and operations related to the  
25          traffic in enslaved persons; evidence of the purchase and sale  
26          of enslaved persons; provision of loans to purchase enslaved

1 persons; or the use of enslaved persons as collateral for  
2 insurance policies, loans, or other transactions.

3 "Slave trade" means: (1) all acts involved in the capture,  
4 acquisition, or disposal of a person with the intent to reduce  
5 that person to slavery; (2) all acts involved in the  
6 acquisition of an enslaved person with a view to selling or  
7 exchanging that enslaved person; and (3) all acts of disposal  
8 by sale or exchange of an enslaved person, including acts  
9 involved in the facilitation of these exchanges through the  
10 provision of financial vehicles or insurance.

11 Section 10. Purpose.

12 (a) Numerous American businesses across various  
13 industries, including insurance, banking, tobacco, cotton,  
14 sugar, railroads, and shipping, reaped substantial profits by  
15 exploiting the uncompensated labor of enslaved persons.  
16 Consequently, these businesses and the individuals managing  
17 them directly profited from the labor of enslaved persons and  
18 directly benefited from insurance policies that insured  
19 enslaved persons. This intertwining of economic interests  
20 highlights the extent to which the exploitation of enslaved  
21 persons permeated the foundation of various American  
22 industries. However, very few American industries and the  
23 underlying businesses and individuals have adequately  
24 acknowledged their connection to the Enslavement Era.

25 (b) The citizens of Illinois, including descendants of

1    enslaved persons, are entitled to complete transparency  
2    regarding any involvement or profits acquired through slavery  
3    by companies seeking to conduct business in the State. This  
4    disclosure is essential to ensure that the community is  
5    informed about the historical connections and practices of the  
6    companies operating within its jurisdiction, fostering a  
7    culture of accountability and responsible business practices.

8           (c) This Act is a call to the companies that participated  
9    in slaveholding and the slave trade to acknowledge and address  
10   the enduring impacts of the Enslavement Era on our society,  
11   and to promote responsible corporate citizenship. It is  
12   essential for companies to recognize their historical  
13   connections to the Enslavement Era and take responsibility for  
14   any past actions that have contributed to the perpetuation of  
15   inequities. By actively engaging in redress efforts,  
16   corporations demonstrate their commitment to fostering a more  
17   just and equitable society. Remedying the harms resulting from  
18   the crimes and atrocities of the Enslavement Era is not only a  
19   moral imperative and an international standard but also a  
20   crucial step toward ensuring a cohesive and inclusive  
21   community. This Act serves to facilitate corporate  
22   transparency and accountability and to encourage the  
23   implementation of concrete measures aimed at alleviating the  
24   long-lasting adverse effects of the slave trade on descendants  
25   of enslaved persons.

26           (d) The purpose of this Act is to:

1           (1) promote the investigation of any participation in  
2       slaveholding, the slave trade, or both by companies or  
3       contractors that do business with the State;

4           (2) establish a system that (i) makes publicly  
5       available full and accurate disclosure of company or  
6       contractor records related to the participation in  
7       slaveholding, the slave trade, or both, (ii) provides the  
8       opportunity for public notice and comment before the State  
9       contracts with companies or contractors that participated  
10      in slaveholding or the slave trade, and (iii) requires  
11      disclosure, to the extent applicable, of any records  
12      indicating:

13           (A) whether the company or contractor was a party  
14      to any insurance policy related to slaveholding;

15           (B) evidence of the purchase, sale, or lease of  
16      enslaved persons by the company or contractor;

17           (C) evidence of the use by the company or  
18      contractor of enslaved persons as collateral for  
19      insurance policies, loans, or other transactions;

20           (D) evidence of the provision, or receipt, of  
21      loans by the company or contractor to purchase  
22      enslaved persons;

23           (E) evidence of insuring transactions for enslaved  
24      persons; and

25           (F) any other company or contractor records  
26      evidencing participation in slaveholding or



1 participation in the slave trade;

2 (3) encourage corporate transparency and  
3 accountability through the establishment of a process  
4 pursuant to which the Office shall develop and fund  
5 eligible redress projects to assist in redress efforts;  
6 and

7 (4) establish a governance structure to monitor and  
8 enforce the provisions of this Act.

9 Section 15. Findings.

10 (a) Insurance policies from the Enslavement Era, which  
11 have been discovered in the archives of several insurance  
12 companies, document insurance coverage to slaveholders for  
13 damage to or death of enslaved persons. In some cases,  
14 existing insurance firms or their predecessor firms issued  
15 these policies.

16 (b) Records may exist that show that various companies,  
17 either directly or through their parent entities, subsidiaries  
18 or predecessors in interest or otherwise, bought or sold  
19 enslaved persons, used enslaved persons as collateral for  
20 insurance policies or other transactions, provided loans to  
21 purchase enslaved persons, insured those transactions, and  
22 provided related or other services to aid and abet those  
23 transactions.

24 (c) These insurance policies, loan documents, and other  
25 documents and records provide evidence of ill-gotten profits

1 from slavery. Slaveholders and those involved in the slave  
2 trade, in turn, profited from the uncompensated labor of  
3 enslaved persons, even if those profits have long since been  
4 redistributed to shareholders. Industries that profited in  
5 this manner include, but are not limited to, capitalized  
6 insurers, financial service providers, textile companies,  
7 tobacco companies, railroad companies, shipping companies, the  
8 rice industry, the sugar industry, and entities in other  
9 industries whose successors in interest remain in existence  
10 today.

11 (d) The General Assembly finds and declares that the fact  
12 that slavery was legal in certain parts of the United States at  
13 the time that it occurred does not make the practice any less  
14 repugnant, abhorrent, or deplorable, nor does it in any way  
15 diminish the gravity of these wrongs or the importance of  
16 rectifying and remediating these tragedies.

17 (e) Many Illinois residents are descendants of enslaved  
18 persons and their ancestors were defined as property,  
19 dehumanized, separated from their families, coerced into  
20 performing labor without appropriate compensation or benefits,  
21 and were assaulted and abused. Enslaved persons were treated  
22 as chattel in every sense of the word, including being used as  
23 collateral for insurance policies, loans, and other  
24 transactions, and, in some instances, their ancestors' owners  
25 were compensated for damages by insurers.

26 (f) Appropriate compensation to enslaved persons for their

1 labor otherwise would have been bequeathed to their  
2 descendants. As a result, companies and individuals who  
3 profited from the labor of enslaved persons were unjustly  
4 enriched.

5 (g) Residents of Illinois are entitled to the full  
6 disclosure of any and all information regarding the  
7 above-described transactions, and respect and recognition of  
8 the dignity of the enslaved persons and their descendants  
9 requires it.

10 (h) The General Assembly formally acknowledges the loss of  
11 assets that rightfully should be the property of descendants  
12 in the United States and extends its apologies to descendants  
13 who continue to suffer the legacy of slavery.

14 (i) The General Assembly finds that full disclosure of the  
15 facts and acknowledgment of the depth and scope of the  
16 participation in slaveholding and the slave trade and public  
17 hearings with respect thereto furthers the public interest by  
18 recognizing the dignity of enslaved persons and descendants  
19 and promotes healing in the State for enslaved persons,  
20 descendants, and those who participated in slaveholding or the  
21 slave trade.

22 (j) The General Assembly finds that public disclosure and  
23 public hearings based on those disclosures will promote  
24 knowledge of the nature and scope of the slaveholding and  
25 slave trading activities in Illinois and thereby will promote  
26 healing.

1           (k) The State of Illinois finds that the establishment of  
2     a fund, to which companies and contractors subject to this Act  
3     shall make monetary contributions, will promote healing and  
4     assist the State of Illinois in rectifying and remedying some  
5     of the shameful legacies of slaveholding and the slave trade,  
6     thereby protecting and promoting the dignity and welfare of  
7     Illinois residents and the Illinois community.

8           Section 17. Powers of the Administrator. The Administrator  
9     has the authority to take all actions necessary to implement  
10    and enforce this Act, subject to the direction and oversight  
11    of the Office.

12           Section 20. Compliance.

13           (a) Each contractor that participates in a competitive  
14    bidding process with the State of Illinois shall complete an  
15    affidavit certifying that, to the knowledge of the contractor,  
16    the contractor has reviewed the records that are in its  
17    possession or control or which, following due inquiry, are  
18    publicly available, including records of any related party,  
19    for evidence of the contractor's or related party's  
20    participation in slaveholding or the slave trade. If the  
21    contractor or any related party to the contractor has  
22    participated in slaveholding or the slave trade, the affidavit  
23    shall, to the extent known to contractor, further disclose the  
24    names and ages of each enslaved person and slaveholder

1 described in the records or information, as well as the  
2 evidence of transactions whereby the contractor, its parent  
3 entities, subsidiaries, or predecessors entities benefited or  
4 profited from participation in slaveholding or participation  
5 in the slave trade.

6 Beginning 30 days after the effective date of this Act,  
7 all contractors that participate in a competitive bidding  
8 process with the State of Illinois shall submit a completed  
9 affidavit to the Office by no later than 30 days before the  
10 submission of the bid to contract with the State. If  
11 additional time is needed for investigation or review, the  
12 contractor shall submit a request for extension to the Office  
13 no later than 30 days before the submission of the bid. The  
14 request for extension shall provide an overview of the scope  
15 and nature of the investigation or review and an explanation  
16 of why additional time is needed to complete the disclosure.  
17 The contractor shall provide updates regarding completion of  
18 the affidavit to the Office every 30 days as necessary.  
19 Notwithstanding the foregoing, the contractor shall submit a  
20 completed affidavit no later than 90 days after the  
21 contractor's submission of a bid.

22 (b) All records disclosed in each contractor's affidavit  
23 shall be reviewed by the Administrator to determine whether  
24 the contractor or any related party to the contractor  
25 participated in slaveholding or the slave trade.

26 (c) The Administrator, after consultation with the Office,

1 shall publish, within 90 days after submission of the  
2 affidavit, a public report based on the disclosures in the  
3 affidavit of each contractor that is found to have  
4 participated in slaveholding or the slave trade. The report  
5 shall summarize the nature of the contractor's or related  
6 party's participation in slaveholding and the slave trade,  
7 including all relevant information and records disclosed in  
8 each contractor's affidavit.

9 (d) The Administrator, after consultation with the Office,  
10 shall hold a public hearing to discuss the report within 45  
11 days of its delivery to the Governor and General Assembly. The  
12 Administrator shall make the report publicly available no  
13 later than 10 business days before the scheduled date of the  
14 public hearing. A representative for the contractor shall  
15 attend the public hearing and answer any and all questions  
16 from Illinois officials and members of the public. The public  
17 hearing shall be held in an accessible public facility,  
18 accommodate virtual participation, and be recorded and  
19 published publicly.

20 (e) The Administrator shall provide notice of the public  
21 hearing to the public no later than 7 business days before the  
22 scheduled date of the public hearing and provide notice of the  
23 public hearing to a representative of the contractor that is  
24 the subject of the report no later than 10 business days before  
25 the scheduled date of the public hearing.

26 (f) Following the public hearing, the Administrator shall

1 provide annual reports regarding further findings or  
2 disclosures on the part of any company or contractor found to  
3 have participated in slaveholding and the slave trade, if any.

4 (g) Hard copies of the initial and each annual report  
5 shall be maintained at all University of Illinois Campus  
6 libraries and shall be made available for public inspection  
7 upon request.

8 (h) A link to a webpage titled "Enslavement Disclosure and  
9 Redress" shall be placed on the State of Illinois Internet  
10 homepage. This Act, and all information pertaining to this  
11 Act, including names of all contractors who participated in  
12 slaveholding and the slave trade, affidavits, reports, public  
13 hearings, contracts, and redress actions, shall be publicly  
14 accessible through that link.

15 Section 25. Redress Fund; eligible redress projects.

16 (a) The Redress Fund is hereby established as a special  
17 fund in the State treasury. Moneys in the Fund shall be used by  
18 the Administrator for the purposes described in this Section.  
19 Moneys in the Fund shall be used for purposes, including, but  
20 not limited to, providing educational support and support for  
21 economic development in the economically depressed areas of  
22 Illinois subjected to Jim Crow (apartheid) federal and State  
23 actions, such as redlining, or where a significant proportion  
24 of private property was seized or otherwise directly impacted  
25 in relation to projects conducted under the auspices of United

1 States Department of Housing and Urban Development grants for  
2 urban renewal programs.

3 (b) The Administrator, after consultation with the Office,  
4 shall prepare guidelines for the use of moneys in the Fund and  
5 present those guidelines to the Illinois Legislative Black  
6 Caucus for approval no later than April 30, 2026. Thereafter,  
7 the Administrator shall make funding decisions in accordance  
8 with the guidelines and provide an annual report to the Office  
9 identifying the recipients of funds and the amount of funds  
10 contributed to each recipient.

11 (c) Each contractor who has disclosed participation in  
12 slaveholding or the slave trade shall provide the State of  
13 Illinois with a statement of financial redress at the time of  
14 submitting its bid. The statement of redress shall include a  
15 description of any amounts committed to the Redress Fund to  
16 date or programs developed or funded, or to be developed or  
17 funded, by the contractor.

18 (d) The contractor shall provide its financial  
19 contributions to the Redress Fund within 30 days after the  
20 effective date of its contract.

21 (e) The Administrator, after consultation with the Office  
22 and the State Treasurer, shall monitor all contractors that  
23 are subject to this Act in submitting their statements of  
24 redress. The Administrator, after consultation with the Office  
25 and the State Treasurer, shall prepare a report on  
26 contributions to and expenditures from the Redress Fund and



1 each project funded by this Act, including the name of each  
2 project, the cost of each project, the goal of each project,  
3 and the authorized redress entities carrying out each project.  
4 The report shall be submitted to the Governor, the General  
5 Assembly, and the public as required under this Act.

6 Section 30. Administration. The Administrator, after  
7 consultation with the Office, shall:

8 (1) adopt rules to implement this Act within 60 days  
9 after the effective date of this Act;

10 (2) develop a form disclosure statement and affidavit  
11 within 60 days after the effective date of this Act;

12 (3) adopt rules that specify the form and content of  
13 the report required in instances where a company or  
14 contractor has participated in slaveholding or the slave  
15 trade;

16 (4) administer the requirements of this Act and  
17 monitor compliance through the Administrator, including  
18 investigation of alleged violations;

19 (5) publish and make open for public review annual  
20 reports detailing the compliance and noncompliance of  
21 relevant companies or contractors; and

22 (6) hold at least one public hearing each year to  
23 discuss implementation efforts, annual reports, materials  
24 generated by compliance with this Act, and other relevant  
25 matters.

1       Section 35. Enforcement.

2       (a) Failure to comply with the requirements of this Act  
3 shall result in the following sanctions:

4           (1) Any contractor who fails to submit the required  
5 affidavit within the specified timeframe shall be debarred  
6 from participation in the then current bid with the State  
7 of Illinois.

8           (2) Any contractor who willfully or negligently  
9 submits a false affidavit or other statement, or neglects  
10 to submit the required disclosure, shall be debarred from  
11 participation in the then current bid with the State of  
12 Illinois.

13          (3) The State of Illinois reserves the right to debar  
14 the contractor from participation in the then current bid  
15 by providing notice of termination to any contractor after  
16 discovering the deficiency in the contractor's disclosure.  
17 Notwithstanding the foregoing, a contractor may cure any  
18 false or materially false statement, or misstatement by  
19 submitting an amended disclosure within 30 days of receipt  
20 of the notice of debarment of the contractor. Failure to  
21 cure any false or materially false statements within the  
22 specified timeframe shall result in the contractor's  
23 debarment from participating in the current bid with the  
24 State of Illinois and termination of the contractor's  
25 contract with the State of Illinois no later than 60 days

1 after such failure to cure.

2 (4) Any contractor who fails to contribute to the  
3 Redress Fund within the specified timeframe shall be  
4 subject to automatic termination of its contract with the  
5 State of Illinois, provided that the contractor receives  
6 notice from the State of Illinois of termination after  
7 discovering the contractor's failure to contribute to the  
8 Redress Fund. Notwithstanding the foregoing, a contractor  
9 may cure such failure to contribute by making the  
10 committed contribution to the Redress Fund within 30 days  
11 of receipt of the notice of termination of the contract.

12 (5) The following parties may bring an action under  
13 this Act against a company or contractor subject to this  
14 Act to enforce its provisions:

15 (A) the Office; and

16 (B) any Illinois resident.

17 (b) Relief under this Act shall include, but shall not be  
18 limited to, an injunction to mandate the necessary disclosure  
19 required under this Act or to correct any misstatement, as  
20 well as reasonable attorney's fees and costs. All or a portion  
21 of any damages awarded shall be payable to the Redress Fund.

22 Section 97. Severability. The provisions of this Act are  
23 severable under Section 1.31 of the Statute on Statutes.

24 Section 900. The Illinois Administrative Procedure Act is

amended by adding Section 5-45.62 as follows:

(5 ILCS 100/5-45.62 new)

Sec. 5-45.62. Emergency rulemaking; Enslavement Era Disclosure and Redress Act. To provide for the expeditious and timely implementation of the Enslavement Era Disclosure and Redress Act, emergency rules implementing the Enslavement Era Disclosure and Redress Act may be adopted in accordance with Section 5-45 by the Illinois Office of Equity. The adoption of emergency rules authorized by Section 5-45 and this Section is deemed to be necessary for the public interest, safety, and welfare.

This Section is repealed one year after the effective date of this amendatory Act of the 104th General Assembly.

Section 905. The State Finance Act is amended by adding Section 5.1030 as follows:

(30 ILCS 105/5.1030 new)

Sec. 5.1030. The Redress Fund.

Section 999. Effective date. This Act takes effect upon becoming law.