

HOUSE BILL 552

E3

~~EMERGENCY BILL~~
ENROLLED BILL

(6lr2257)

— Government, Labor, and Elections/Judicial Proceedings —

Introduced by **Delegates J. Long, Toles, Acevero, Addison, Alston, Amprey, Bartlett, Boaf, Boyce, Coley, Crutchfield, Davis, Harrison, Hill, Holmes, Ivey, Martinez, McCaskill, Odom, Pasteur, Patterson, Pena-Melnyk, Phillips, Roberson, Roberts, Ruff, Simmons, Smith, Taylor, Wells, White Holland, Wilkins, Wilson, Woods, ~~and Young~~ Young, Fair, Kerr, Lehman, Ruth, Solomon, and Terrasa**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 ~~Independent Investigation of Commission on the House of Reformation and~~
3 ~~Instruction for Colored Children – Establishment~~

4 FOR the purpose of establishing the ~~Independent Investigation of~~ Commission on the
5 House of Reformation and Instruction for Colored Children; and generally relating
6 to the ~~Independent Investigation of~~ Commission on the House of Reformation and
7 Instruction for Colored Children.

8 BY adding to
9 Article – State Government

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



~~(2) provide a complete and public accounting of the children who died and were buried on the grounds of the House of Reformation and Instruction for Colored Children and the circumstances surrounding their deaths.~~

~~(e) (1) (i) The Independent Investigation shall be conducted by a Principal Independent Investigator, appointed by the Chair and ranking member of the Senate Judicial Proceedings Committee and the Chair and ranking member of the House Judiciary Committee.~~

~~(ii) The Principal Independent Investigator shall have significant experience in:~~

- ~~1. leading complex criminal or civil investigations;~~
- ~~2. stakeholder and community collaboration;~~
- ~~3. civil rights law;~~
- ~~4. restorative justice; or~~
- ~~5. historical inquiry.~~

~~(2) (i) The Principal Independent Investigator may appoint two Deputy Independent Investigators to assist in the operational work of the investigation.~~

~~(ii) The Deputy Independent Investigators shall have significant experience in:~~

- ~~1. criminal or civil investigations;~~
- ~~2. juvenile justice administration and operations;~~
- ~~3. conditions of confinement for youth; or~~
- ~~4. racial disparities in the justice system.~~

~~(d) (1) This section may not be construed to grant the Principal Independent Investigator and Deputy Independent Investigators prosecutorial authority.~~

~~(2) If the investigation uncovers evidence of criminal conduct, the Principal Independent Investigator and Deputy Independent Investigators shall refer such evidence to the Attorney General or appropriate State's Attorney.~~

~~(e) Notwithstanding Division II of the State Finance and Procurement Article of the Annotated Code of Maryland, the Principal Independent Investigator has the authority to approve contracts to retain subject matter consultants and entities to meet the needs of the Independent Investigation.~~

1 ~~(f) The Independent Investigation shall:~~

2 ~~(1) use ground penetrating radar and other modern archaeological~~
3 ~~methods to locate and map all unmarked graves at the site of the House of Reformation~~
4 ~~and Instruction for Colored Children;~~

5 ~~(2) determine the total number of individuals buried at the site of the~~
6 ~~House of Reformation and Instruction for Colored Children;~~

7 ~~(3) where necessary and appropriate, consistent with best practices and~~
8 ~~with consultation from descendant communities, conduct the exhumation and forensic~~
9 ~~analysis of remains to determine age, ancestry, cause of death, and evidence of trauma or~~
10 ~~neglect;~~

11 ~~(4) collect DNA samples from remains to establish a database for matching~~
12 ~~with potential descendants;~~

13 ~~(5) review all available records from the Maryland State Archives, the~~
14 ~~Department of Juvenile Services, the Maryland Department of Health, and any other~~
15 ~~relevant State or local agencies to identify every child who died at the House of Reformation~~
16 ~~and Instruction for Colored Children;~~

17 ~~(6) reconstruct institutional policies, living conditions, labor practices,~~
18 ~~disciplinary methods, and medical care standards throughout the history of the House of~~
19 ~~Reformation and Instruction for Colored Children;~~

20 ~~(7) document all allegations and official findings of abuse, neglect, and~~
21 ~~mistreatment of residents at the House of Reformation and Instruction for Colored~~
22 ~~Children; and~~

23 ~~(8) make recommendations for:~~

24 ~~(i) the establishment of a permanent public memorial;~~

25 ~~(ii) a formal process for the repatriation of identified remains and~~
26 ~~the dignified reburial of unidentified remains;~~

27 ~~(iii) policy changes to ensure the proper documentation and handling~~
28 ~~of deaths in State custody; and~~

29 ~~(iv) educational initiatives to incorporate this history into the State's~~
30 ~~curriculum.~~

31 ~~(g) (1) The Principal Independent Investigator may request and receive~~
32 ~~assistance, information, and documents from any State agency or unit of State government,~~
33 ~~or any agency or political subdivision of the State.~~

~~(2) Any agency or unit of government that receives a request under paragraph (1) of this subsection shall comply with the request.~~

~~(h) (1) (i) Notwithstanding any other provision of law, the Principal Independent Investigator is authorized to conduct archaeological surveys, test excavations, and carry out the disinterment of human remains on the grounds of the House of Reformation and Instruction for Colored Children without separate agency permits.~~

~~(ii) The Principal Independent Investigator shall consult with the Maryland Historical Trust and the Maryland Department of Health regarding methods and safety for actions authorized under subparagraph (i) of this paragraph.~~

~~(2) Title 17 of the Criminal Procedure Article of the Annotated Code of Maryland requiring judicial authorization and a sworn affidavit regarding a suspected homicide do not apply to a forensic genetic genealogical DNA analysis and a search conducted by the Principal Independent Investigator if:~~

~~(i) the search is conducted exclusively for the humanitarian purpose of identifying the deceased and notifying descendants;~~

~~(ii) biological samples are not used to screen for medical conditions or traits; and~~

~~(iii) all DNA data is destroyed on the conclusion of the investigation.~~

~~(3) (i) Notwithstanding § 3-8A-27 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland or the Maryland Public Information Act, the Principal Independent Investigator and the Investigator's designees acting in furtherance of the duties specified under this section shall have full unrestricted access to all sealed or otherwise confidential juvenile records, medical records, and administrative files related to the House of Reformation and Instruction for Colored Children.~~

~~(ii) 1. Subject to subsubparagraph 2 of this subparagraph, the Principal Independent Investigator shall maintain the confidentiality of any living individual mentioned in the records under subparagraph (i) of this paragraph.~~

~~2. The Principal Independent Investigator may disclose the names and circumstances of deceased individuals for the purposes of the final report of the Independent Investigation and memorialization.~~

~~(4) The exemptions to general laws granted in this section are determined by the General Assembly to be necessary due to the unique historical nature of the site for which general laws are inapplicable.~~

~~(i) Funding for the Independent Investigation shall be as provided in the State budget.~~

~~(j) On or before December 31, 2028, the Principal Independent Investigator shall report findings and recommendations of the Independent Investigation to the Governor and, in accordance with § 2-1257 of the State Government Article of the Annotated Code of Maryland, the General Assembly.~~

(A) THERE IS A COMMISSION ON THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN.

(B) THE PURPOSE OF THE COMMISSION IS TO:

(1) RESEARCH THE HISTORY, OPERATIONS, AND RESIDENT DEATHS AT THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN;

(2) PROVIDE A COMPLETE AND PUBLIC ACCOUNTING OF THE CHILDREN WHO DIED AND WERE BURIED ON THE GROUNDS OF THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED CHILDREN;

(3) PROMOTE HEALING AND RECONCILIATION THROUGH TRUTH-TELLING, ACKNOWLEDGMENT, AND RECOMMENDATIONS FOR SYSTEMIC REFORM; AND

(4) ENSURE DESCENDANT AND COMMUNITY VOICE THROUGHOUT THE INVESTIGATION AND RECONCILIATION PROCESS.

(C) THE COMMISSION CONSISTS OF:

(1) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE OF MARYLAND;

(2) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

(3) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE;

(4) THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST, OR THE DIRECTOR'S DESIGNEE;

(5) THE SECRETARY OF VETERANS AND MILITARY FAMILIES, OR THE SECRETARY'S DESIGNEE;

1 **(6) THE CHAIR OF THE PRINCE GEORGE'S COUNTY PLANNING**
2 **BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING**
3 **COMMISSION, OR THE CHAIR'S DESIGNEE;**

4 **(7) THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S**
5 **DESIGNEE;**

6 **(8) THE CHIEF ARCHAEOLOGIST OF THE MARYLAND DEPARTMENT**
7 **OF TRANSPORTATION'S STATE HIGHWAY ADMINISTRATION, OR THE CHIEF**
8 **ARCHAEOLOGIST'S DESIGNEE;**

9 **(9) THE STATE ARCHIVIST, OR THE STATE ARCHIVIST'S DESIGNEE;**

10 **(10) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S**
11 **DESIGNEE;**

12 **(11) THE CHAIR OF THE MARYLAND COMMISSION ON AFRICAN**
13 **AMERICAN HISTORY AND CULTURE, OR THE CHAIR'S DESIGNEE;**

14 **(12) THE EXECUTIVE DIRECTOR OF THE GIBSON-BANKS CENTER FOR**
15 **RACE AND LAW AT THE UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL**
16 **OF LAW, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

17 **(13) THE PRINCE GEORGE'S COUNTY EXECUTIVE, OR THE COUNTY**
18 **EXECUTIVE'S DESIGNEE; ~~AND~~**

19 **(14) THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S**
20 **DESIGNEE;**

21 **(15) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**
22 **SUPERINTENDENT'S DESIGNEE; AND**

23 **(16) ~~UP TO~~ SIX MEMBERS OF THE GENERAL PUBLIC APPOINTED BY THE**
24 **ATTORNEY GENERAL THAT SHALL INCLUDE:**

25 **(I) ~~AT LEAST~~ ONE DESCENDANT OF A CHILD BURIED AT THE**
26 **SITE, A FORMER RESIDENT OF THE HOUSE OF REFORMATION, OR A FORMER**
27 **JUSTICE-INVOLVED YOUTH;**

28 **(II) ~~AT LEAST~~ ONE ACADEMIC EXPERT IN FORENSIC**
29 **ANTHROPOLOGY, ARCHAEOLOGY, AFRICAN AMERICAN HISTORY, OR OTHER**
30 **RELATED DISCIPLINES;**

1 (III) ~~AT LEAST~~ ONE REPRESENTATIVE FROM A HISTORICALLY
2 BLACK COLLEGE OR UNIVERSITY IN THE STATE;

3 (IV) ~~AT LEAST~~ ONE REPRESENTATIVE FROM A CIVIL RIGHTS
4 ORGANIZATION; AND

5 (V) ~~ANY OTHER COMMUNITY LEADER, ADVOCATE, OR EXPERT~~
6 ~~THE ATTORNEY GENERAL DETERMINES APPROPRIATE~~ TWO INDIVIDUALS WITH
7 EXPERIENCE IN CIVIL RIGHTS ADVOCACY AND LITIGATION.

8 (D) (1) THE ATTORNEY GENERAL SHALL SERVE AS CHAIR OF THE
9 COMMISSION.

10 (2) THE COMMISSION SHALL ELECT A VICE CHAIR FROM AMONG ITS
11 MEMBERS.

12 (E) MEMBERS APPOINTED BY THE ATTORNEY GENERAL SHALL SERVE AT
13 THE PLEASURE OF THE ATTORNEY GENERAL.

14 (F) (1) A MEMBER OF THE COMMISSION:

15 (I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
16 COMMISSION; BUT

17 (II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER
18 THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE
19 BUDGET.

20 (2) THE OFFICE OF THE ATTORNEY GENERAL MAY PROVIDE
21 STIPENDS TO DESCENDANT, FORMER RESIDENT, AND COMMUNITY MEMBERS TO
22 SUPPORT THE PARTICIPATION IN THE COMMISSION, SUBJECT TO AVAILABLE
23 FUNDS.

24 (G) THE OFFICE OF THE ATTORNEY GENERAL SHALL PROVIDE STAFF FOR
25 THE COMMISSION.

26 (H) THE COMMISSION SHALL:

27 (1) DIRECT AND OVERSEE THE INVESTIGATION OF THE HOUSE OF
28 REFORMATION AND INSTRUCTION FOR COLORED CHILDREN BY CONTRACTING
29 WITH QUALIFIED PROFESSIONAL EXPERTS, INCLUDING UNIVERSITIES, RESEARCH
30 INSTITUTIONS, AND INDEPENDENT PRACTITIONERS, TO CONDUCT:

1 **(I) FORENSIC ANTHROPOLOGY, ARCHAEOLOGICAL SURVEYS,**
2 **AND HISTORICAL RESEARCH TO THE HIGHEST ETHICAL AND PROFESSIONAL**
3 **STANDARDS;**

4 **(II) LOCATION AND DOCUMENTATION OF ALL GRAVES USING**
5 **MODERN ARCHAEOLOGICAL AND FORENSIC METHODS;**

6 **(III) IDENTIFICATION OF INDIVIDUALS BURIED AT THE SITE**
7 **THROUGH HISTORICAL RECORDS, FORENSIC ANALYSIS, DNA TESTING, AND**
8 **GENEALOGICAL RESEARCH;**

9 **(IV) RECONSTRUCTION OF INSTITUTIONAL CONDITIONS,**
10 **POLICIES, AND PRACTICES THROUGHOUT THE FACILITY'S HISTORY;**

11 **(V) DOCUMENTATION OF DEATHS, INCLUDING**
12 **CIRCUMSTANCES, CAUSES, AND STATE RESPONSES; AND**

13 **(VI) ANALYSIS OF SYSTEMIC FAILURES THAT ALLOWED HARMS**
14 **TO OCCUR;**

15 **(2) REVIEW AND APPROVE RESEARCH METHODOLOGIES, WORK**
16 **PLANS, AND FINDINGS PRODUCED BY CONTRACTED EXPERTS;**

17 **(3) WHEN APPROPRIATE AND APPROVED BY THE COMMISSION,**
18 **AUTHORIZE CONTRACTED EXPERTS TO CONDUCT EXHUMATION AND FORENSIC**
19 **ANALYSIS OF REMAINS IN ACCORDANCE WITH BEST PRACTICES IN FORENSIC**
20 **ANTHROPOLOGY AND BIOETHICS;**

21 **(4) DIRECT CONTRACTED EXPERTS TO ESTABLISH A DNA DATABASE**
22 **FOR DESCENDANT MATCHING AND PURSUE GENEALOGICAL RESEARCH TO LOCATE**
23 **AND NOTIFY DESCENDANTS;**

24 **(5) FACILITATE MEANINGFUL ENGAGEMENT WITH DESCENDANTS,**
25 **AFRICAN AMERICAN COMMUNITIES, AND OTHERS WITH HISTORICAL, FAMILIAL, OR**
26 **CULTURAL CONNECTIONS TO THOSE INTERRED AT THE SITE;**

27 **(6) PROVIDE OPPORTUNITIES FOR DESCENDANTS, SURVIVORS,**
28 **FORMER RESIDENTS, AND COMMUNITY MEMBERS TO SHARE TESTIMONY AND**
29 **PARTICIPATE IN PUBLIC ACKNOWLEDGMENT;**

30 **(7) ESTABLISH PROTOCOLS FOR DESCENDANT NOTIFICATION,**
31 **REBURIAL, AND CULTURALLY APPROPRIATE TREATMENT OF HUMAN REMAINS IN**
32 **CONSULTATION WITH CONTRACTED EXPERTS AND COMMUNITY STAKEHOLDERS;**

1 **(8) OVERSEE CONTRACTED WORK FOR RESTORATION AND**
2 **PRESERVATION OF THE CEMETERY GROUNDS;**

3 **(9) RECOMMEND THE DESIGN AND THE IMPLEMENTATION OF A**
4 **PERMANENT MEMORIAL AT THE SITE;**

5 **(10) ENSURE LONG-TERM MAINTENANCE AND ACCESSIBILITY OF THE**
6 **PERMANENT MEMORIAL DESCRIBED UNDER ITEM (9) OF THIS SUBSECTION;**

7 **(11) RECOMMEND EDUCATIONAL INITIATIVES TO INCORPORATE THE**
8 **HISTORY OF THE HOUSE OF REFORMATION AND INSTRUCTION FOR COLORED**
9 **CHILDREN INTO THE STATE'S CURRICULUM;**

10 **(12) DOCUMENT AND DISSEMINATE LESSONS LEARNED FOR**
11 **EDUCATIONAL PURPOSES AND TO INFORM FUTURE STATE-LED RESTORATIVE**
12 **HISTORY INITIATIVES;**

13 **(13) MAKE FINDINGS REGARDING INSTITUTIONAL FAILURES AND**
14 **STATE ACCOUNTABILITY BASED ON RESEARCH CONDUCTED BY CONTRACTED**
15 **EXPERTS UNDER THIS SECTION;**

16 **(14) DEVELOP RECOMMENDATIONS FOR SYSTEMIC REFORM, WHICH**
17 **MAY INCLUDE:**

18 **(I) OFFICIAL STATE ACKNOWLEDGMENT AND FORMAL**
19 **APOLOGY;**

20 **(II) REPARATIVE MEASURES FOR DESCENDANTS AND**
21 **SURVIVORS;**

22 **(III) REFORMS TO PREVENT FUTURE DEATHS IN CUSTODY AND**
23 **IMPROVE CURRENT JUVENILE JUSTICE POLICIES;**

24 **(IV) ONGOING COMMEMORATION AND EDUCATION INITIATIVES;**
25 **AND**

26 **(V) ANY OTHER MEASURE THE COMMISSION DEEMS**
27 **APPROPRIATE TO PROMOTE HEALING AND RECONCILIATION; AND**

28 **(15) PERFORM OTHER DUTIES AND RESPONSIBILITIES NECESSARY TO**
29 **ACCOMPLISH THE COMMISSION'S PURPOSES.**

1 **(I) (1) ~~THE~~ SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,**
2 **THE OFFICE OF THE ATTORNEY GENERAL MAY PROCURE GOODS AND SERVICES ON**
3 **BEHALF OF THE COMMISSION.**

4 **(2) THE EXECUTION OF A MAJOR CONTRACT REQUIRES APPROVAL BY**
5 **VOTE OF THE COMMISSION.**

6 **(3) TO THE EXTENT PRACTICABLE AND CONSISTENT WITH STATE AND**
7 **FEDERAL LAW, THE OFFICE OF THE ATTORNEY GENERAL SHALL PROCURE GOODS**
8 **AND SERVICES FROM MARYLAND INSTITUTIONS AND HISTORICALLY BLACK**
9 **COLLEGES AND UNIVERSITIES IN THE STATE.**

10 **(J) (1) ALL STATE AGENCIES, UNITS OF STATE GOVERNMENT, AND**
11 **POLITICAL SUBDIVISIONS OF THE STATE SHALL COOPERATE AND COMPLY WITH**
12 **INFORMATION REQUESTS FROM THE COMMISSION AND ITS CONTRACTED**
13 **RESEARCHERS AND SHALL PROVIDE ACCESS TO FACILITIES, RECORDS, AND**
14 **LOGISTICAL SUPPORT NECESSARY TO CONDUCT THE INVESTIGATION.**

15 **(2) THE COMMISSION, THROUGH THE ATTORNEY GENERAL, MAY**
16 **ISSUE SUBPOENAS FOR DOCUMENTS AND TESTIMONY RELEVANT TO THE**
17 **INVESTIGATION.**

18 **(K) (1) (I) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**
19 **COMMISSION AND ITS CONTRACTORS ARE AUTHORIZED TO CONDUCT**
20 **ARCHAEOLOGICAL SURVEYS AND TEST EXCAVATIONS AND CARRY OUT THE**
21 **DISINTERMENT OF HUMAN REMAINS ON THE GROUNDS OF THE HOUSE OF**
22 **REFORMATION AND INSTRUCTION FOR COLORED CHILDREN WITHOUT SEPARATE**
23 **AGENCY PERMITS.**

24 **(II) THE COMMISSION SHALL CONSULT WITH THE MARYLAND**
25 **HISTORICAL TRUST AND THE MARYLAND DEPARTMENT OF HEALTH REGARDING**
26 **METHODS AND SAFETY FOR ACTIONS AUTHORIZED UNDER SUBPARAGRAPH (I) OF**
27 **THIS PARAGRAPH.**

28 **(2) TITLE 17 OF THE CRIMINAL PROCEDURE ARTICLE REQUIRING**
29 **JUDICIAL AUTHORIZATION AND A SWORN AFFIDAVIT REGARDING A SUSPECTED**
30 **HOMICIDE DOES NOT APPLY TO A FORENSIC GENETIC GENEALOGICAL DNA**
31 **ANALYSIS AND A SEARCH CONDUCTED BY THE ~~PRINCIPAL INDEPENDENT~~**
32 **INVESTIGATOR COMMISSION, IF:**

33 **(I) THE SEARCH IS CONDUCTED EXCLUSIVELY FOR THE**
34 **HUMANITARIAN PURPOSE OF IDENTIFYING THE DECEASED AND NOTIFYING**
35 **DESCENDANTS;**

1 (II) BIOLOGICAL SAMPLES ARE NOT USED TO SCREEN FOR
2 MEDICAL CONDITIONS OR TRAITS; AND

3 (III) ALL DNA DATA IS DESTROYED ON THE CONCLUSION OF THE
4 INVESTIGATION.

5 (3) (I) NOTWITHSTANDING § 3-8A-27 OF THE COURTS ARTICLE
6 OR THE MARYLAND PUBLIC INFORMATION ACT, THE COMMISSION AND THE
7 COMMISSION'S CONTRACTORS ACTING IN FURTHERANCE OF THE DUTIES SPECIFIED
8 UNDER THIS SECTION SHALL HAVE FULL, UNRESTRICTED ACCESS TO ALL SEALED
9 OR OTHERWISE CONFIDENTIAL JUVENILE RECORDS, MEDICAL RECORDS, AND
10 ADMINISTRATIVE FILES RELATED TO THE HOUSE OF REFORMATION AND
11 INSTRUCTION FOR COLORED CHILDREN.

12 (II) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS
13 SUBPARAGRAPH, THE COMMISSION SHALL MAINTAIN THE CONFIDENTIALITY OF
14 ANY LIVING INDIVIDUAL MENTIONED IN THE RECORDS UNDER SUBPARAGRAPH (I)
15 OF THIS PARAGRAPH.

16 2. THE COMMISSION MAY DISCLOSE THE NAMES AND
17 CIRCUMSTANCES OF DECEASED INDIVIDUALS FOR THE PURPOSES OF REPORTS AND
18 MEMORIALIZATION.

19 (4) THE EXEMPTIONS TO GENERAL LAWS GRANTED IN THIS SECTION
20 ARE DETERMINED BY THE GENERAL ASSEMBLY TO BE NECESSARY DUE TO THE
21 UNIQUE HISTORICAL NATURE OF THE SITE FOR WHICH GENERAL LAWS ARE
22 INAPPLICABLE.

23 (L) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FUNDING FOR
24 THE COMMISSION SHALL BE AS PROVIDED IN THE STATE BUDGET.

25 (2) THE ATTORNEY GENERAL MAY PURSUE FEDERAL GRANTS AND
26 OTHER FUNDING SOURCES TO SUPPLEMENT STATE APPROPRIATIONS, SUBJECT TO
27 COMMISSION APPROVAL OF GRANT APPLICATIONS.

28 (3) THE ATTORNEY GENERAL SHALL ADMINISTER FUNDING FOR THE
29 COMMISSION, INCLUDING STATE APPROPRIATIONS, FEDERAL GRANTS, AND
30 PRIVATE DONATIONS DESIGNATED FOR THIS PURPOSE.

31 (M) (1) ON OR BEFORE DECEMBER 31, 2027, THE COMMISSION SHALL
32 SUBMIT AN INITIAL REPORT DOCUMENTING THE PROGRESS OF THE INVESTIGATION
33 AND INCLUDING ANY PRELIMINARY RECOMMENDATIONS TO THE GOVERNOR AND,
34 IN ACCORDANCE WITH § 2-1257 OF THIS ARTICLE, THE GENERAL ASSEMBLY.

1 **(2) ON OR BEFORE DECEMBER 31, 2029, THE COMMISSION SHALL**
2 **SUBMIT A FINAL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257**
3 **OF THIS ARTICLE, THE GENERAL ASSEMBLY ON:**

4 **(I) THE COMPLETE FINDINGS OF THE COMMISSION’S**
5 **RESEARCH;**

6 **(II) ALL IDENTIFIED INDIVIDUALS AND THE CIRCUMSTANCES**
7 **OF THEIR DEATHS;**

8 **(III) HISTORICAL ANALYSIS OF INSTITUTIONAL POLICIES AND**
9 **PRACTICES;**

10 **(IV) RECOMMENDATIONS FOR ACKNOWLEDGMENT, MEMORIAL,**
11 **REBURIAL, REPARATIVE MEASURES, AND POLICY REFORMS; AND**

12 **(V) AN ACCOUNTING OF THE COMMISSION’S EXPENDITURES.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act ~~is an emergency~~
14 ~~measure, is necessary for the immediate preservation of the public health or safety, has~~
15 ~~been passed by a ye and nay vote supported by three fifths of all the members elected to~~
16 ~~each of the two Houses of the General Assembly, and shall take effect from the date it is~~
17 ~~enacted shall take effect July 1, 2026. It shall remain effective through July 1, 2029, for a~~
18 ~~period of 4 years~~ and, at the end of June 30, ~~2029~~ 2030, this Act, with no further action
19 required by the General Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.