

EMERGENCY PREPAREDNESS, CYBERSECURITY, AND HOMELAND SECURITY

Resolution ECH-20-05

A RESOLUTION ON PROTECTING A LEGACY OF HOME OWNERSHIP

WHEREAS, when a property owner dies without a will or other documentation, the land is passed on to their relatives, as a share, as generations of deaths occur that land is further divided by heirs becoming smaller and smaller shares;

WHEREAS, this happens commonly with African American families that may have never written a will or gone through a formal process to document the land that has been in their possession for generations;

WHEREAS, in the early 1900s, an estimated 15 million acres of agricultural land in the U.S. was owned by African Americans, currently only about 1.5 million acres is still black-owned and used for agriculture today, every year roughly 30,000 more acres are lost;

WHEREAS, when a disaster occurs in order to receive assistance for such land, FEMA will require documentation to prove ownership of land to receive assistance;

WHEREAS, the Bureau of Land Management has historical records and proof of sale transfer such as ancient documents, letters, family notes and documents that prove ownership of African American families who received property during reconstruction era;

WHEREAS, the federal government will recognize non-traditional documents in probate court to clear title, and mandate court rules of evidence be created to accepted non-traditional or ancient documents as proof to contest land partitions.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) urges the Federal Emergency Management Agency to recognize this issue and allow homeowners to provide alternative documentation to prove their ownership and stewardship over such property;

BE IT FURTHER RESOLVED, that the NBCSL urges our legislators to alert their constituents to issues that can stem from not having clear documentation of homeownership for long held family properties; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

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SPONSOR: Assemblymember Dina Neal (NV)

Committee of Jurisdiction: Emergency Preparedness, Cybersecurity, and Homeland Security Policy Committee

Certified by Committee Co-Chairs: Representative Yvonne Davis (TX) and Senator Jeffery Hayden (MN)

Ratified in Plenary Session: Ratification Date is December 6, 2019

Ratification is certified by: Representative Gilda Cobb-Hunter (SC), President