

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Judiciary

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BILL: SM 978

INTRODUCER: Senator Pizzo

SUBJECT: Juneteenth Independence Day

DATE: January 17, 2020

REVISED: \_\_\_\_\_

|    | ANALYST       | STAFF DIRECTOR | REFERENCE | ACTION           |
|----|---------------|----------------|-----------|------------------|
| 1. | <u>Ponder</u> | <u>McVaney</u> | <u>GO</u> | <b>Favorable</b> |
| 2. | <u>Davis</u>  | <u>Cibula</u>  | <u>JU</u> | <b>Favorable</b> |
| 3. | _____         | _____          | <u>RC</u> | _____            |

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**I. Summary:**

SM 978 is a memorial to the Congress of the United States urging Congress to recognize June 19, 2020, as “Juneteenth Independence Day.” This day commemorates the day in 1865 when many slaves in Texas were informed that the Civil War had ended and that slavery was defeated. The term “Juneteenth” is a blending of the words “June” and “nineteenth.”

**II. Present Situation:**

**Juneteenth**

Union Army Major-General Gordon Granger arrived in Galveston, Texas, on June 19, 1865, and officially declared that slavery had ended.<sup>1</sup> He read General Order No. 3 aloud to the people of Texas informing them that,

[I]n accordance with a proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of personal rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and hired labor.<sup>2</sup>

The announcement produced “joyful displays by Texas freedmen.”<sup>3</sup> The following year, on June 19, 1866, annual commemorative celebrations began and have continued, somewhat

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<sup>1</sup> James Alex Baggett, Texas State Historical Association, *Gordon Granger*, <https://tshaonline.org/handbook/online/articles/fgr10>.

<sup>2</sup> Texas State Library and Archives Commission, *Texas Remembers: Juneteenth*, <https://www.tsl.texas.gov/ref/abouttx/juneteenth.html>.

<sup>3</sup> Baggett, *supra*, note 1.

sporadically, throughout the years. The early Juneteenth celebrations often involved prayer services, inspirational messages, readings of President Lincoln’s Emancipation Proclamation, stories told by former slaves, food, and dances. The celebrations in Texas soon spread to neighboring states.<sup>4</sup>

The Emancipation Proclamation, which was issued on January 1, 1863, declared that “all persons held as slaves within any State or designated part of a State . . . in rebellion against the United States, shall be then, thenceforward, and forever free.”<sup>5</sup>

The broader Juneteenth celebrations initially served as political rallies and were used to teach African Americans about voting rights.<sup>6</sup> Unfortunately, during the period of Jim Crow laws, Juneteenth celebrations decreased. However, during the civil rights movement, the Poor People’s March in Washington, D.C., was specifically scheduled for June 19, 1968.<sup>7</sup> The march brought Juneteenth back to the public’s attention and the holiday was essentially reborn.<sup>8</sup>

## Legislation

Although Juneteenth is recognized in some capacity by most states, it is not a national holiday. In 1980, Texas became the first state to declare Juneteenth a state holiday.<sup>9</sup> It is estimated that 46 states and the District of Columbia officially recognize Juneteenth as a holiday or day of observance.<sup>10</sup> In 1991, the Florida Legislature designated June 19<sup>th</sup> of each year as “Juneteenth Day” to commemorate the traditional observance of the day the slaves in Florida were notified of the Emancipation Proclamation.<sup>11</sup>

## Observances and Ceremonies

National and Patriotic Observances and Ceremonies are contained in Title 36 of the United States Code. There are approximately forty-five patriotic and national observances specified by the United States Code, ranging from American Heart Month to Veterans Day.<sup>12</sup> These observances designate a certain day or time period for observation and request that the president issue a proclamation calling for appropriate observance and ceremony.<sup>13</sup>

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<sup>4</sup> Texas State Library and Archives Commission, *supra*, note 2.

<sup>5</sup> National Archives, Transcript of the Proclamation, January 1, 1863, A Transcription, <https://www.archives.gov/exhibits/featured-documents/emancipation-proclamation/transcript.html>.

<sup>6</sup> Teresa Palomo Acosta, *Juneteenth*, <https://tshaonline.org/handbook/online/articles/lkj01>.

<sup>7</sup> Encyclopaedia Britannica, *Poor People’s Campaign*, <https://www.britannica.com/topic/Poor-Peoples-March>.

<sup>8</sup> Stacy Conratt, *12 Things You Might Not Know About Juneteenth*, <https://www.mentalfloss.com/article/501680/12-things-you-might-not-know-about-juneteenth>.

<sup>9</sup> *Id.*

<sup>10</sup> Doug Criss, CNN, *All But Four US States Celebrate Juneteenth as a Holiday*, (June 19, 2019) <https://www.cnn.com/2019/06/19/us/juneteenth-state-holidays-trnd/index.html>.

<sup>11</sup> Ch. 1991-252, s. 1, Laws of Fla. and s. 683.21, F.S.

<sup>12</sup> See 36 U.S.C. ss. 101-145 (2019).

<sup>13</sup> See, e.g., 36 U.S.C. s 109 Father’s Day (2019).

## Senate Memorial

A memorial is an official legislative document addressed to Congress, the President of the United States, or some other governmental entity that expresses the will of the Legislature on a matter within the jurisdiction of the recipient. A memorial requires passage by both legislative houses but does not require the Governor's approval nor is it subject to a veto. Memorials often express the Legislature's desire that Congress take action on a certain matter or request that Congress propose an amendment to the United States Constitution.<sup>14</sup>

### III. Effect of Proposed Changes:

The Senate Memorial urges Congress to recognize June 19, 2020, as "Juneteenth Independence Day." The memorial directs the Secretary of State to dispatch copies to the Majority Leader of the United States Senate, the Speaker of the House of Representatives, and each member of the Florida delegation to the United States Congress.

The memorial recounts that on June 19, 1865, federal authorities arrived in Galveston, Texas, and informed slaves that the Civil War had ended and that enslaved people were free. Following emancipation, former slaves and their descendants commemorated each June 19 as the day that slaves became aware of their emancipation and celebrated their new freedom. The memorial notes that in 1991, Florida officially designated June 19 of each year as "Juneteenth Day" to commemorate the freeing of slaves within the state.

The memorial urges Congress to recognize June 19, 2020, as "Juneteenth Independence Day." Senate Resolution 253, House Resolution 448, and House Resolution 450 have been filed for the 2019-2020 session by members of the Texas Congressional Delegation expressing similar support.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

Not applicable. The mandate restrictions do not apply because the bill does not require counties and municipalities to spend funds, reduce the counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties or municipalities.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

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<sup>14</sup>Office of Bill Drafting Services, *Manual for Drafting Legislation*, The Florida Senate, at 137-138. (2009), available at <http://intranet.flsenate.gov/Document?filePath=/Publications%20and%20Forms/Publications/&fileName=Bill%20Drafting%20Manual.pdf>.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.