

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.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: SB 832

INTRODUCER: Senator Berman

SUBJECT: Holocaust Remembrance Day

DATE: April 4, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jahnke</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2.	<u>Harmsen</u>	<u>McVaney</u>	<u>GO</u>	Favorable
3.	_____	_____	<u>RC</u>	_____

I. Summary:

SB 832 requires the Governor to proclaim January 27 of each year as “Holocaust Remembrance Day,” to be suitably observed in public schools and by public exercise in the State Capitol and elsewhere as the Governor may designate.

The bill specifies that if January 27 falls on a day that is not a school day, Holocaust Remembrance Day must be observed in the schools on the preceding school day or on such school day as may be designated by local school authorities.

The bill requires instruction about the Holocaust, anti-Semitism, and their harmful impacts on humanity to be provided as part of public educational instruction on Holocaust Remembrance day.

The bill has no impact on state revenues and expenditures.

This bill is effective July 1, 2023.

II. Present Situation:

Legal Holidays and Observances

Chapter 683, F.S., provides designations for legal holidays and special observances. Recognition of a legal holiday or special observance may apply statewide or may be limited to a particular region. For example, “Gasparilla Day”¹ is a legal holiday observed only in Hillsborough County, while “Bill of Rights Day,”² if issued by the Governor, is observed throughout the state.

¹ Section 683.08, F.S.

² Section 683.25, F.S.

Depending on the holiday or special observance, certain actions may be required to be performed for the commemoration or observance of the date, day, or month. For example, Florida law recognizes the month of September as “American Founders’ Month,”³ urging all civic, fraternal, and religious organizations and public and private educational institutions to recognize this occasion through appropriate programs and celebrations, and the last full week of classes in September as “Celebrate Freedom Week,”⁴ in which public schools are required to include at least three hours of grade-appropriate instruction related to the meaning and importance of the Declaration of Independence in social studies classes.⁵ The Governor is directed to proclaim November 7 of each year as “Victims of Communism Day,” which must be observed in public schools. In the 2023-2024 school year, high school students enrolled in a United States Government class must receive at least 45 minutes of instruction on victims who suffered under specified communist regimes.⁶

There are 21 legal holidays⁷ established in law and 36 special observances.⁸ The state recognizes nine paid holidays that are observed by all state branches and agencies.⁹

The Holocaust

The Holocaust (1933-1945) was the systematic, state-sponsored persecution and murder of 6 million European Jews and others by the Nazi German regime and its allies and collaborators. At the beginning of Nazi rule, Dictator Adolf Hitler used the government to target and exclude Jews from German society. Among other anti-Semitic measures, the Nazi German regime enacted discriminatory laws and organized violence targeting Germany’s Jews.¹⁰

The Nazi persecution of Jews became radicalized with the culminated plan known as the “Final Solution to the Jewish Question”. The “Final Solution” came to fruition during World War II, with mass shootings and gas poisoning killing centers in concentration camps. About 6 million Jews and some 5 million others, targeted for racial, political, ideological, and behavioral reasons, died in the Holocaust, more than 1 million of those who perished were children.¹¹

Commemoration of the Holocaust

The United Nations (UN) General Assembly designated January 27, the anniversary of the liberation of Auschwitz-Birkenau, as International Holocaust Remembrance Day. On this annual day of commemoration, the UN urges every member state to honor the 6 million Jewish victims

³ Section 683.1455, F.S.

⁴ Section 1003.421, F.S.

⁵ See Florida Department of Education, *American Founders’ Month*, <http://www.fldoe.org/academics/standards/subject-areas/social-studies/American-Founders-Month.stml> (last visited Apr. 4, 2023).

⁶ Section 683.334, F.S.

⁷ Section 683.01, F.S.

⁸ Sections 683.04 - 683.3341, F.S.

⁹ Section 110.117(1), F.S. Paid state holidays include: New Year’s Day, the Birthday of Martin Luther King, Jr., Memorial Day, Independence Day, Labor Day, Veterans’ Day, Thanksgiving Day, the Friday after Thanksgiving, and Christmas Day.

¹⁰ United States Holocaust Memorial Museum, *Introduction to the Holocaust*, <https://encyclopedia.ushmm.org/content/en/article/introduction-to-the-holocaust> (last visited Apr. 4, 2023).

¹¹ *Id.*

of the Holocaust and millions of other victims of Nazism and to develop education programs to help prevent future genocides.¹²

Holocaust Education in Florida

In 2020, the Legislature directed the DOE to develop standards for Holocaust Education.¹³ The DOE worked closely with the Commissioner of Education's Task Force on Holocaust Education and Florida teachers to develop content-rich and developmentally appropriate Holocaust Education standards. In the process, DOE received and considered comments from state and nationally recognized Holocaust educational organizations, Florida educators, school administrators, representatives of the Florida College System and state universities, business and industry leaders, and the public.¹⁴

In July 2021, the SBE adopted the updated State Standards for Social Studies, incorporating revised civics and government standards¹⁵ and new standards for grades 5-12 for Holocaust education.¹⁶

Required instruction on the Holocaust (1933-1945) must include the history of the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, and be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions, including the policy, definition, and historical and current examples of anti-Semitism.¹⁷

Each school district must annually certify and provide evidence to the DOE that they have to meet the instructional requirements on Holocaust education. In addition, the DOE may contract with any state or nationally-recognized Holocaust educational organizations to develop training for instructional personnel and grade-appropriate classroom resources to support the developed curriculum.¹⁸

Florida recognized the second week in November as Holocaust Education Week, which coincided with the anniversary of Kristallnacht, November 9-10, 1938. Kristallnacht is widely recognized as a precipitating event that led to the Holocaust.¹⁹ The DOE has created a portal dedicated to Holocaust Education Week, which offers commemoration resources, educational

¹² United Nations General Assembly Resolution 60/7. *See also*, United Nations, *Outreach Programme on the Holocaust*, <https://www.un.org/en/holocaustremembrance/observance/> (last visited Apr. 4, 2023).

¹³ Ch. 2020-88, s. 5, Laws of Fla.

¹⁴ Florida Department of Education, *Next Generation Sunshine Standards – Social Studies, 2021*, <https://www.fldoe.org/core/fileparse.php/18736/urlt/SR-SocialStudies.pdf> (last visited Apr. 4, 2023).

¹⁵ Ch. 2019-150, s.1, Laws of Fla.

¹⁶ Florida Department of Education, *Next Generation Sunshine Standards – Social Studies, 2021*, <https://www.fldoe.org/core/fileparse.php/18736/urlt/SR-SocialStudies.pdf> (last visited Apr. 4, 2023).

¹⁷ Section 1003.42(2)(g)1., F.S.

¹⁸ *Id.*

¹⁹ Section 1003.42(2)(g)2., F.S.

programs, and materials concerning the Holocaust, for school districts, teachers, parents, and the general public.²⁰

III. Effect of Proposed Changes:

SB 832 creates s. 683.045, F.S., to require the Governor to proclaim January 27 of each year to be “Holocaust Remembrance Day”. This day must be suitably observed in public schools and by public exercise in the State Capitol and elsewhere as the Governor may designate.

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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 counties’ or municipalities’ ability to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

²⁰ Florida Department of Education, *Holocaust Education Week*, <https://www.fldoe.org/holocausteducation/holo-ed-week.stml> (last visited Apr. 4, 2023).

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill is not expected to have an impact on state and local government revenues and expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 683.045 of the Florida Statutes.

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.