STATE OF NEW YORK

550

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to designating January sixth as "Democracy Day"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Legislative findings. The Legislature finds and declares the following:

1. On Wednesday, January 6th, 2021, the President of the United States at the time, Donald J. Trump, members of his administration and presidential campaign, and several Republican Members of Congress, directly incited and encouraged an armed and violent insurrection against the government of the United States, with the express purpose of preventing the peaceful transfer of power and overturning the results of a free and fair election.

2. In the months leading up to January 6th, the former President, members of his administration, and numerous elected members of his party, intentionally spread false and inflammatory claims regarding the legitimacy of the election, and both implicitly and explicitly promised violent or armed opposition to prevent the election from being certified and the President-Elect from taking office.

3. In the course of their attack, the insurrectionists trespassed on and destroyed Federal property, including flagrantly looting the Capitol, and openly bragged about their exploits on social media. The attackers carried white supremacist symbols including the flag known as the "Confederate battle flag," as well as anti-Semitic, fascist, and neo-nazi ideology. At the same time as many were carrying these symbols of the enemies of the United States, some of the attackers were observed removing the flag of the United States, throwing it to the ground, and replacing it with a flag bearing the name of President Donald J. Trump.

4. One hundred thirty-eight police officers were injured defending the Capitol, and four insurrectionists and a Capitol Police officer died. In the months that followed the attack, four additional Capitol Police officers died by suicide. More than seven hundred people have been

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

arrested in connection with the attack, however those most responsible have avoided accountability.

5. It is the intent of the legislature to establish an annual day of commemoration to be known as Democracy Day, to honor those who were wounded or died as a result of defending the Capitol, reiterate the need to protect and strengthen our democratic institutions, and recognize the ongoing threat of anti-democratic, white nationalist, and authoritarian movements in the United States.

§ 2. Subdivision 3 of section 168-a of the executive law, as amended by chapter 237 of the laws of 2020, is amended to read as follows:

3. The following days shall be days of commemoration in each year: January sixth, to be known as "Haym Salomon Day", **and also to be known as "Democracy Day",** January twenty-seventh, to be known as "Holocaust Remembrance Day", February fourth, to be known as "Rosa Parks Day", February fifteenth, to be known as "Susan B. Anthony Day", February sixteenth, to be known as "Lithuanian Independence Day", February twenty-eighth, to be known as "Gulf War Veterans' Day", March fourth, to be known as "Pulaski Day", March tenth, to be known as "Harriet Tubman Day", March twenty-ninth, to be known as "Vietnam Veterans' Day", April ninth, to be known as "POW Recognition Day", April twenty-seventh, to be known as "Coretta Scott King Day", April twenty-eighth, to be known as "Workers' Memorial Day", the first Tuesday in May to be known as "New York State Teacher Day", May seventeenth, to be known as "Thurgood Marshall Day", the first Sunday in June, to be known as "Children's Day", June second, to be known as "Italian Independence Day", June twelfth, to be known as "Women Veterans Recognition Day", June nineteenth, to be known as "Juneteenth Freedom Day", June twenty-fifth, to be known as "Korean War Veterans' Day", the second Monday in July, to be known as "Abolition Commemoration Day", August twenty-fourth, to be known as "Ukrainian Independence Day", August twenty-sixth, to be known as "Women's Equality Day", September eleventh, to be known as "Battle of Plattsburgh Day" and also to be known as "September 11th Remembrance Day", September thirteenth, to be known as "John Barry Day" and also to be known as "Uncle Sam Day in the State of New York", September seventeenth, to be known as "Friedrich Wilhelm von Steuben Memorial Day", the third Friday in September to be known as "New York State POW/MIA Recognition Day" except if such date of commemoration cannot be observed due to a religious holiday, such observances shall then be conducted on the second Friday of September, the last Saturday in September, to be known as "War of 1812 Day", the fourth Saturday of September, known as "Native-American Day", the last Sunday in September, to be known as "Gold Star Mothers' Day", October fifth, to be known as "Raoul Wallenberg Day", October eleventh, to be known as "New Netherland Day in the State of New York", October eighteenth, to be known as "Disabilities History Day", October twenty-seventh, to be known as "Theodore Roosevelt Day", November ninth, to be known as "Witness for Tolerance Day", November twelfth, to be known as "Elizabeth Cady Stanton Day", the third Tuesday in November to be known as "New York State School-Related Professionals Recognition Day", November thirtieth, to be known as "Shirley Chisholm Day", December third, to be known as "International Day of Persons with Disabilities", December seventh, to be known as "Pearl Harbor Day", December sixteenth, to be known as "Bastogne Day" and that day of the Asian lunar calendar designated as new year to be known as "Asian New Year".

§ 3. This act shall take effect immediately.