

1 SB365
2 191474-2
3 By Senators Figures, Beasley, Smitherman, Singleton,
4 Brewbaker, Coleman-Madison, Dial, Waggoner, Whatley, Sanders,
5 Ward, Holley, Scofield, Bussman, Livingston, Sanford,
6 Shelnutt, McClendon, Marsh, Williams, Reed, Albritton, Stutts,
7 Allen, Melson, Hightower, Chambliss and Holtzclaw
8 RFD: Governmental Affairs
9 First Read: 06-MAR-18

SB365

ENROLLED, An Act,

To amend Section 1-3-8, Code of Alabama 1975, relating to state holidays; to designate the first day of December of each year as Mrs. Rosa L. Parks Day, and to allow each county and municipality to observe Mrs. Rosa L. Parks Day as a holiday.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1-3-8, Code of Alabama 1975, is amended to read as follows:

"§1-3-8.

"(a) Sunday, Christmas Day, New Year's Day, Martin Luther King, Jr.'s birthday, Robert E. Lee's birthday, George Washington's birthday, Thomas Jefferson's birthday, Confederate Memorial Day, National Memorial Day, Jefferson Davis' birthday, the Fourth day of July, Labor Day, Columbus Day and Fraternal Day, Veterans' Day, American Indian Heritage Day, and the day designated by the Governor for public thanksgiving shall each be deemed a holiday. If any holiday falls on Sunday, the following day is the holiday. If any holiday falls on Saturday, the preceding day is the holiday. Veterans' Day shall be observed by the closing of all state, county, and municipal offices, all banks located within this

1 state, and the public schools on such day. Public schools,
2 grades K to 12, inclusive, and all public two-year
3 institutions of higher education shall also be closed on
4 National Memorial Day, and such closing shall be applicable to
5 all students and non-essential employees. The Superintendent
6 of Banks, with the concurrence of not less than two members of
7 the state Banking Board, may authorize any state bank to close
8 on National Memorial Day, the last Monday in May, and on such
9 other days as may be declared by the Governor to be state
10 holidays in honor of a special event. If any authorized state
11 holiday falls on Friday, the Superintendent of Banks may
12 authorize the Saturday following that Friday to be a holiday.
13 The superintendent may also authorize the closing of banks at
14 12:00 noon on the day prior to Christmas Day, and the day
15 prior to New Year's Day, if such days fall on business days.

16 "(b) Of the above enumerated legal public holidays,
17 the following shall be observed on the dates herein
18 prescribed:

19 "(1) Robert E. Lee's birthday - the third Monday in
20 January.

21 "(2) George Washington's birthday - the third Monday
22 in February.

23 "(3) Confederate Memorial Day - the fourth Monday in
24 April.

1 "(4) Jefferson Davis' birthday - the first Monday in
2 June.

3 "(5) Columbus Day and Fraternal Day - the second
4 Monday in October.

5 "(6) Veterans' Day - the eleventh day of November.

6 "(7) Martin Luther King, Jr.'s birthday - the third
7 Monday in January.

8 "(8) National Memorial Day - the last Monday in May.

9 "(9) Thomas Jefferson's birthday - the third Monday
10 in February.

11 "(10) American Indian Heritage Day - the second
12 Monday in October.

13 "(c) In addition to the legal holidays provided
14 above, Mardi Gras shall be deemed a holiday in Mobile and
15 Baldwin Counties and all state offices shall be closed in
16 those counties on Mardi Gras.

17 "(d) In addition to the legal holidays provided
18 above all state employees, except those employed in Baldwin
19 and Mobile Counties, shall be granted one personal leave day
20 per year. The personal leave day shall be granted on January 1
21 of each year. All state employees employed in Baldwin and
22 Mobile Counties shall be granted no personal leave day. All
23 such personal leave days granted in any year shall be used by
24 the end of the calendar year. All such personal leave days
25 shall be scheduled during the year with the approval of the

1 supervisor. Supervisors failing to schedule personal leave
2 days for employees shall justify that action in writing to the
3 Director of State Personnel and the employee shall receive pay
4 at a rate not less than the employee's usual and customary
5 rate of pay for any personal leave day not taken by December
6 31 of each year.

7 "(e) All state holidays shall be observed by the
8 closing of all state offices. Any state office may remain open
9 on a state holiday upon written notice by the appointing
10 authority to the State Personnel Board at least 60 days in
11 advance of the holiday. Provided, that any state office may be
12 opened in the event of an emergency and the State Personnel
13 Board may grant a blanket approval for the openings of state
14 offices needing to be open on holidays on a regular basis for
15 essential services. Any state employee working on a state
16 holiday shall receive a day of compensatory leave or paid
17 compensation in lieu of the holiday as provided herein.

18 "(f) Each employee shall attempt to schedule any
19 compensatory leave day provided in lieu of a regularly
20 scheduled holiday, subject to the approval of the supervisor,
21 during the quarter that the regularly scheduled holiday
22 occurred. If any compensatory leave day cannot be scheduled
23 during the designated quarter, the compensatory leave day may
24 be accumulated at the request of the employee for up to one
25 year. Supervisors failing to schedule compensatory leave days

1 for employees within the quarter, unless the day is carried
2 forward at the request of the employee, shall justify that
3 action in writing to the Director of State Personnel and the
4 employee shall receive pay at a rate not less than the
5 employee's usual and customary rate of pay for any
6 compensatory leave day to which the employee may be entitled
7 and which has not been taken.

8 "(g) (1) The first day in December of each year is
9 designated as Mrs. Rosa L. Parks Day in this state. All
10 citizens of this state are requested to devote some portion of
11 Mrs. Rosa L. Parks Day to commemorate the accomplishments of
12 Mrs. Rosa L. Parks, a woman of great courage, vision, love,
13 and faith who helped usher in the modern civil rights movement
14 on December 1, 1955, by refusing to give up her seat on a bus
15 in Montgomery, Alabama. Each resident of this state is
16 requested to observe the day with appropriate activities.

17 "(2) Each county and municipality may elect to
18 observe Mrs. Rosa L. Parks Day as a holiday."

19 Section 2. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB365

Senate 15-MAR-18

I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 22-MAR-18

By: Senator Figures