

HB27 INTRODUCED



- 1 BHHGQJ-1
- 2 By Representative England
- 3 RFD: State Government
- 4 First Read: 07-Mar-23
- 5 PFD: 23-Feb-23



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SYNOPSIS:

Existing law establishes state holidays.

This bill would remove Jefferson Davis' birthday as a state holiday and would add State Employee Appreciation Day as a state holiday.

This bill would also delete duplicative language and make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT

Relating to state holidays; to amend Section 1-3-8, Code of Alabama 1975, to remove Jefferson Davis' birthday and add State Employee Appreciation Day as a state holiday; and to delete duplicative language and make nonsubstantive, technical revisions to update the existing code language to current style.

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) The following days are official state holidays:

~~Sunday, Christmas Day,~~



HB27 INTRODUCED

- 29 (1) New Year's Day, January 1.
- 30 (2) Martin Luther King, Jr.'s birthday, and Robert E.
31 Lee's birthday, the third Monday in January.
- 32 (3) George Washington's birthday, and Thomas
33 Jefferson's birthday, ~~Confederate Memorial Day, National~~the
34 third Monday in February.
- 35 (4) Confederate Memorial Day, the fourth Monday in
36 April.
- 37 (5) Memorial Day, the last Monday in May.~~Jefferson~~
38 ~~Davis' birthday,~~
- 39 (6) State Employee Appreciation Day, the first Monday
40 in June. ~~the~~
- 41 (7) The Fourth day of July, July 4.
- 42 (8) Labor Day, the first Monday in September.
- 43 (9) Columbus Day, and Fraternal Day, and American
44 Indian Heritage Day, the second Monday in October.
- 45 (10) Veterans' Day, November 11.~~American Indian~~
46 ~~Heritage Day, and the day~~
- 47 (11) Thanksgiving Day, as designated by the Governor
48 ~~for public thanksgiving shall each be deemed a holiday.~~
- 49 (12) Christmas Day, December 25.
- 50 (b) If any holiday falls on Sunday, the following day
51 is the holiday. If any holiday falls on Saturday, the
52 preceding day is the holiday.
- 53 (c) Except as otherwise provided in subsection (f), all
54 state holidays shall be observed by the closing of all state
55 offices. In addition, Veterans' Day shall be observed by the
56 closing of all ~~state, county, and municipal offices, all banks~~



HB27 INTRODUCED

57 ~~located within this state,~~ and ~~the~~ all public K-12 schools, ~~on~~
58 ~~such day. Public schools, grades K to 12, inclusive, and all~~
59 ~~public two-year institutions of higher education shall also be~~
60 ~~closed on National Memorial Day, and such closing shall be~~
61 ~~applicable to all students and non-essential employees~~and
62 Memorial Day shall be observed by the closing of all public
63 K-12 schools and all public two-year and four-year
64 institutions of higher education.

65 (d) The Superintendent of Banks, with the concurrence
66 of not less than two members of the state Banking Board, may
67 authorize ~~any~~the closure of state ~~bank to close on National~~
68 ~~Memorial Day, the last Monday in May,~~ banks in observance of
69 any state or federal holiday and on ~~such~~ any other ~~days~~ day as
70 may be declared by the Governor to be a state ~~holidays~~holiday
71 or by the President of the United States to be a federal
72 holiday in honor of a special event. If ~~any authorized~~a state
73 holiday falls on Friday, the Superintendent of Banks may
74 authorize the Saturday following that Friday to be a holiday.
75 The superintendent may also authorize the closing of banks at
76 12:00 noon on the day prior to Christmas Day, and the day
77 prior to New Year's Day, if ~~such days~~the holidays fall on
78 business days.

79 ~~(b) Of the above enumerated legal public holidays, the~~
80 ~~following shall be observed on the dates herein prescribed:~~

81 ~~(1) Robert E. Lee's birthday - the third Monday in~~
82 ~~January.~~

83 ~~(2) George Washington's birthday - the third Monday in~~
84 ~~February.~~



HB27 INTRODUCED

85 ~~(3) Confederate Memorial Day - the fourth Monday in~~
86 ~~April.~~

87 ~~(4) Jefferson Davis' birthday - the first Monday in~~
88 ~~June.~~

89 ~~(5) Columbus Day and Fraternal Day - the second Monday~~
90 ~~in October.~~

91 ~~(6) Veterans' Day - the eleventh day of November.~~

92 ~~(7) Martin Luther King, Jr.'s birthday - the third~~
93 ~~Monday in January.~~

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

95 ~~(9) Thomas Jefferson's birthday - the third Monday in~~
96 ~~February.~~

97 ~~(10) American Indian Heritage Day - the second Monday~~
98 ~~in October.~~

99 ~~(c)~~ (e) (1) In addition to the ~~legal~~ state holidays
100 provided ~~above~~ in subsection (a), Mardi Gras shall be deemed a
101 holiday in Mobile and Baldwin Counties and all state offices
102 shall be closed in those counties on Mardi Gras.

103 ~~(d)~~ (2) ~~In addition to the legal holidays provided above~~
104 ~~all~~ All state employees, ~~except~~ other than those employed in
105 Baldwin and Mobile Counties, shall be granted one personal
106 leave day per year. The personal leave day shall be granted on
107 January 1 of each year. All state employees employed in
108 Baldwin and Mobile Counties shall be granted no personal leave
109 day. All ~~such~~ personal leave days granted in any year pursuant
110 to this subdivision shall be used by the end of the calendar
111 year. ~~All such personal leave days shall~~ and must be scheduled
112 during the year with the approval of the supervisor.



HB27 INTRODUCED

113 Supervisors failing to schedule personal leave days for
114 employees shall justify that action in writing to the Director
115 of State Personnel and the employee shall receive pay at a
116 rate not less than the employee's usual and customary rate of
117 pay for any personal leave day not taken by December 31 of
118 each year.

119 ~~(e)~~ (f) (1) ~~All state holidays shall be observed by the~~
120 ~~closing of all state offices.~~ Any state office may remain open
121 on a state holiday upon written notice by the appointing
122 authority to the State Personnel Board at least 60 days in
123 advance of the holiday. ~~Provided, that~~ In addition, any state
124 office may be opened in the event of an emergency, and the
125 State Personnel Board may grant a blanket approval for the
126 ~~openings~~ opening of state offices needing to be open on
127 holidays on a regular basis for essential services.

128 (2) Any state employee working on a state holiday shall
129 receive a day of compensatory leave or paid compensation in
130 lieu of the holiday ~~as provided herein.~~

131 ~~(f)~~ Each employee shall attempt to schedule any
132 compensatory leave day provided in lieu of a regularly
133 scheduled holiday, subject to the approval of ~~the~~ his or her
134 supervisor, during the quarter that the regularly scheduled
135 holiday occurred. If any compensatory leave day cannot be
136 scheduled during the designated quarter, the compensatory
137 leave day may be accumulated at the request of the employee
138 for up to one year. Supervisors failing to schedule
139 compensatory leave days for employees within the quarter,
140 unless the day is carried forward at the request of the



HB27 INTRODUCED

141 employee, shall justify that action in writing to the Director
142 of State Personnel, and the employee shall receive pay at a
143 rate not less than the employee's usual and customary rate of
144 pay for any compensatory leave day to which the employee may
145 be entitled and which has not been taken.

146 (g) (1) The first day in December of each year is
147 designated as Mrs. Rosa L. Parks Day in this state. All
148 citizens of this state are requested to devote some portion of
149 Mrs. Rosa L. Parks Day to commemorate the accomplishments of
150 Mrs. Rosa L. Parks, a woman of great courage, vision, love,
151 and faith who helped usher in the modern civil rights movement
152 on December 1, 1955, by refusing to give up her seat on a bus
153 in Montgomery, Alabama. Each resident of this state is
154 requested to observe the day with appropriate activities.

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

157 Section 2. This act shall become effective on the first
158 day of the third month following its passage and approval by
159 the Governor, or its otherwise becoming law.