

HB97 INTRODUCED



1 7B6CVE-1
2 By Representative Hall
3 RFD: State Government
4 First Read: 07-Mar-23
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SYNOPSIS:

Existing law establishes state holidays.

This bill would specify that the State of Alabama shall observe as holidays all days designated as a holiday by the federal government.

This bill would delete duplicative language and would also 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 specify that the State of Alabama shall observe as holidays days designated as a holiday by the federal government; 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) ~~Sunday, Christmas Day, New Year's Day, Martin~~



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29 ~~Luther King, Jr.'s birthday, Robert E. Lee's birthday, George~~
30 ~~Washington's birthday, Thomas Jefferson's birthday,~~
31 ~~Confederate Memorial Day, National Memorial Day, Jefferson~~
32 ~~Davis' birthday, the Fourth day of July, Labor Day, Columbus~~
33 ~~Day and Fraternal Day, Veterans' Day, American Indian Heritage~~
34 ~~Day, and the day designated by the Governor for public~~
35 ~~thanksgiving shall each be deemed a holiday. If any holiday~~
36 ~~falls on Sunday, the following day is the holiday. If any~~
37 ~~holiday falls on Saturday, the preceding day is the holiday.~~
38 ~~Veterans' Day shall be observed by the closing of all state,~~
39 ~~county, and municipal offices, all banks located within this~~
40 ~~state, and the public schools on such day. Public schools,~~
41 ~~grades K to 12, inclusive, and all public two-year~~
42 ~~institutions of higher education shall also be closed on~~
43 ~~National Memorial Day, and such closing shall be applicable to~~
44 ~~all students and non-essential employees. The State of Alabama~~
45 ~~shall recognize and observe the following days as public and~~
46 ~~legal holidays:~~

47 (1) All days which have been designated as of January
48 1, 2022, as public and legal holidays by the federal
49 government.

50 (2) All other days designated and proclaimed by the
51 Governor as public and legal holidays or as days of fasting
52 and prayer or other religious observance. If the Governor
53 designates additional days pursuant to this subdivision, the
54 Governor shall include at least one of the following dates:

55 a. The third Monday in January.

56 b. The fourth Monday in April.



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57 c. The first Monday in June.

58 d. A suitable date in lieu thereof to commemorate the
59 event or events observed by the dates in paragraphs a. through
60 c.

61 (b) If any holiday falls on Saturday, the preceding day
62 is the holiday.

63 (c) The Governor shall close all state offices and
64 facilities a minimum of 13 days throughout the year and not
65 more than 13 days in observance of the public and legal
66 holidays and other days set forth in subsection (a). The
67 Governor shall also specify the days state offices and
68 facilities shall be closed in observation of public and legal
69 holidays.

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

84 ~~(b) Of the above enumerated legal public holidays, the~~



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85 ~~following shall be observed on the dates herein prescribed:~~

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

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

90 ~~(3) Confederate Memorial Day - the fourth Monday in~~
91 ~~April.~~

92 ~~(4) Jefferson Davis' birthday - the first Monday in~~
93 ~~June.~~

94 ~~(5) Columbus Day and Fraternal Day - the second Monday~~
95 ~~in October.~~

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

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

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

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

102 ~~(10) American Indian Heritage Day - the second Monday~~
103 ~~in October.~~

104 ~~(e)~~ (e) (1) In addition to the legal holidays provided
105 ~~above~~ in subsection (a), Mardi Gras shall be deemed a holiday
106 in Mobile and Baldwin Counties and all state offices shall be
107 closed in those counties on Mardi Gras.

108 ~~(d)~~ (2) All ~~In addition to the legal holidays provided~~
109 ~~above all~~ state employees, ~~except~~ other than those employed in
110 Baldwin and Mobile Counties, shall be granted one personal
111 leave day per year. The personal leave day shall be granted on
112 January 1 of each year. All state employees employed in



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113 Baldwin and Mobile Counties shall be granted no personal leave
114 day. All ~~such~~ personal leave days granted in any year pursuant
115 to this section shall be used by the end of the calendar year. ~~All such personal leave days shall~~ and must be scheduled
116 during the year with the approval of the supervisor.
117 Supervisors failing to schedule personal leave days for
118 employees shall justify that action in writing to the Director
119 of State Personnel and the employee shall receive pay at a
120 rate not less than the employee's usual and customary rate of
121 pay for any personal leave day not taken by December 31 of
122 each year.
123

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

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

136 ~~(f)~~ (g) Each employee shall attempt to schedule any
137 compensatory leave day provided in lieu of a regularly
138 scheduled holiday, subject to the approval of ~~the~~ his or her
139 supervisor, during the quarter that the regularly scheduled
140 holiday occurred. If any compensatory leave day cannot be



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141 scheduled during the designated quarter, the compensatory
142 leave day may be accumulated at the request of the employee
143 for up to one year. Supervisors failing to schedule
144 compensatory leave days for employees within the quarter,
145 unless the day is carried forward at the request of the
146 employee, shall justify that action in writing to the Director
147 of State Personnel and the employee shall receive pay at a
148 rate not less than the employee's usual and customary rate of
149 pay for any compensatory leave day to which the employee may
150 be entitled and which has not been taken.

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

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

162 Section 2. This act shall become effective on January
163 1, 2024, following its passage and approval by the Governor,
164 or its otherwise becoming law.