

1 SB148  
2 209238-1  
3 By Senator Singleton  
4 RFD: Governmental Affairs  
5 First Read: 02-FEB-21

SYNOPSIS: Under existing law, the birthday of Robert E. Lee is celebrated as a state holiday on the third Monday in January.

This bill would provide that the birthday of Robert E. Lee be celebrated as a state holiday on the fourth Monday in April.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 1-3-8, Code of Alabama 1975; to stipulate that the birthday of Robert E. Lee is celebrated annually on the fourth Monday in April.

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

1 Washington's birthday, Thomas Jefferson's birthday,  
2 Confederate Memorial Day, National Memorial Day, Jefferson  
3 Davis' birthday, the Fourth day of July, Labor Day, Columbus  
4 Day and Fraternal Day, Veterans' Day, American Indian Heritage  
5 Day, and the day designated by the Governor for public  
6 thanksgiving shall each be deemed a holiday. If any holiday  
7 falls on Sunday, the following day is the holiday. If any  
8 holiday falls on Saturday, the preceding day is the holiday.  
9 Veterans' Day shall be observed by the closing of all state,  
10 county, and municipal offices, all banks located within this  
11 state, and the public schools on ~~such~~ that day. Public  
12 schools, grades K to 12, inclusive, and all public two-year  
13 institutions of higher education shall also be closed on  
14 National Memorial Day, and ~~such~~ the closing shall be  
15 applicable to all students and non-essential employees. The  
16 Superintendent of Banks, with the concurrence of not less than  
17 two members of the state Banking Board, may authorize any  
18 state bank to close on National Memorial Day, the last Monday  
19 in May, and on ~~such~~ other days as may be declared by the  
20 Governor to be state holidays in honor of a special event. If  
21 any authorized state holiday falls on Friday, the  
22 Superintendent of Banks may authorize the Saturday following  
23 that Friday to be a holiday. The superintendent may also  
24 authorize the closing of banks at 12:00 noon on the day prior  
25 to Christmas Day, and the day prior to New Year's Day, if ~~such~~  
26 those days fall on business days.

1                   "(b) Of the above enumerated legal public holidays,  
2 the following shall be observed on the dates herein  
3 prescribed:

4                   "~~(1) Robert E. Lee's birthday - the third Monday in~~  
5 ~~January.~~

6                   "~~(2)~~ (1) George Washington's birthday - the third  
7 Monday in February.

8                   "~~(3)~~ (2) Confederate Memorial Day - the fourth Monday  
9 in April.

10                   "(3) Robert E. Lee's birthday - the fourth Monday in  
11 April.

12                   "(4) Jefferson Davis' birthday - the first Monday in  
13 June.

14                   "(5) Columbus Day and Fraternal Day - the second  
15 Monday in October.

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

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

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

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

22                   "(10) American Indian Heritage Day - the second  
23 Monday in October.

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

1           "(d) In addition to the legal holidays provided  
2 above, all state employees, except those employed in Baldwin  
3 and Mobile Counties, shall be granted one personal leave day  
4 per year. The personal leave day shall be granted on January 1  
5 of each year. All state employees employed in Baldwin and  
6 Mobile Counties shall be granted no personal leave day. All  
7 such personal leave days granted in any year pursuant to this  
8 subsection shall be used by the end of the calendar year. ~~All~~  
9 ~~such personal leave days~~ and shall be scheduled during the  
10 year with the approval of the supervisor. Supervisors failing  
11 to schedule personal leave days for employees shall justify  
12 that action in writing to the Director of State Personnel and  
13 the employee shall receive pay at a rate not less than the  
14 employee's usual and customary rate of pay for any personal  
15 leave day not taken by December 31 of each year.

16           "(e) All state holidays shall be observed by the  
17 closing of all state offices. Any state office may remain open  
18 on a state holiday upon written notice by the appointing  
19 authority to the State Personnel Board at least 60 days in  
20 advance of the holiday. ~~Provided, that~~ However, any state  
21 office may be opened in the event of an emergency and the  
22 State Personnel Board may grant a blanket approval for the  
23 openings of state offices needing to be open on holidays on a  
24 regular basis for essential services. Any state employee  
25 working on a state holiday shall receive a day of compensatory  
26 leave or paid compensation in lieu of the holiday as provided  
27 herein.

1           "(f) Each employee shall attempt to schedule any  
2           compensatory leave day provided in lieu of a regularly  
3           scheduled holiday, subject to the approval of the supervisor,  
4           during the quarter that the regularly scheduled holiday  
5           occurred. If any compensatory leave day cannot be scheduled  
6           during the designated quarter, the compensatory leave day may  
7           be accumulated at the request of the employee for up to one  
8           year. Supervisors failing to schedule compensatory leave days  
9           for employees within the quarter, unless the day is carried  
10          forward at the request of the employee, shall justify that  
11          action in writing to the Director of State Personnel and the  
12          employee shall receive pay at a rate not less than the  
13          employee's usual and customary rate of pay for any  
14          compensatory leave day to which the employee may be entitled  
15          and which has not been taken.

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

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

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