

HB367 INTRODUCED



1 HB367
2 K3X2AUA-1
3 By Representatives Sells, Rehm
4 RFD: State Government
5 First Read: 21-Mar-24



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SYNOPSIS:

Under existing law, state holidays are enumerated and the state observes state holidays by the closing of all state offices.

This bill would add Juneteenth as a state holiday and provide that state offices shall not close on Jefferson Davis' birthday and Juneteenth.

A BILL
TO BE ENTITLED
AN ACT

Relating to state holidays; to amend Section 1-3-8, Code of Alabama 1975, to add Juneteenth as a state holiday and provide that state offices shall not close on Jefferson Davis' birthday and Juneteenth.

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



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29 Davis' birthday, Juneteenth, the Fourth day of July, Labor
30 Day, Columbus Day and Fraternal Day, Veterans' Day, American
31 Indian Heritage Day, and the day designated by the Governor
32 for public thanksgiving shall each be deemed a holiday. If any
33 holiday falls on Sunday, the following day is the holiday. If
34 any holiday falls on Saturday, the preceding day is the
35 holiday. Veterans' Day shall be observed by the closing of all
36 state, county, and municipal offices, all banks located within
37 this state, and the public schools on such day. Public
38 schools, grades K to 12, inclusive, and all public two-year
39 institutions of higher education shall also be closed on
40 National Memorial Day, and such closing shall be applicable to
41 all students and non-essential employees. The Superintendent
42 of Banks, with the concurrence of not less than two members of
43 the state Banking Board, may authorize any state bank to close
44 on National Memorial Day, the last Monday in May, and on such
45 other days as may be declared by the Governor to be state
46 holidays in honor of a special event. If any authorized state
47 holiday falls on Friday, the Superintendent of Banks may
48 authorize the Saturday following that Friday to be a holiday.
49 The superintendent may also authorize the closing of banks at
50 12:00 noon on the day prior to Christmas Day, and the day
51 prior to New Year's Day, if such days fall on business days.

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

54 (1) Robert E. Lee's birthday - the third Monday in
55 January.

56 (2) George Washington's birthday - the third Monday in



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57 February.

58 (3) Confederate Memorial Day - the fourth Monday in
59 April.

60 (4) Jefferson Davis' birthday - the first Monday in
61 June.

62 (5) Juneteenth--the nineteenth day of June.

63 ~~(5)~~ (6) Columbus Day and Fraternal Day - the second
64 Monday in October.

65 ~~(6)~~ (7) Veterans' Day - the eleventh day of November.

66 ~~(7)~~ (8) Martin Luther King, Jr.'s birthday - the third
67 Monday in January.

68 ~~(8)~~ (9) National Memorial Day - the last Monday in May.

69 ~~(9)~~ (10) Thomas Jefferson's birthday - the third Monday
70 in February.

71 ~~(10)~~ (11) American Indian Heritage Day - the second
72 Monday in October.

73 (c) In addition to the legal holidays provided above,
74 Mardi Gras shall be deemed a holiday in Mobile and Baldwin
75 Counties and all state offices shall be closed in those
76 counties on Mardi Gras.

77 (d) In addition to the legal holidays provided above
78 all state employees, except those employed in Baldwin and
79 Mobile Counties, shall be granted one personal leave day per
80 year. The personal leave day shall be granted on January 1 of
81 each year. All state employees employed in Baldwin and Mobile
82 Counties shall be granted no personal leave day. All ~~such~~
83 personal leave days granted in any year shall be used by the
84 end of the calendar year. All ~~such~~ personal leave days shall



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85 be scheduled during the year with the approval of the
86 supervisor. Supervisors failing to schedule personal leave
87 days for employees shall justify that action in writing to the
88 Director of State Personnel and the employee shall receive pay
89 at a rate not less than the employee's usual and customary
90 rate of pay for any personal leave day not taken by December
91 31 of each year.

92 (e) (1) All state holidays, except Jefferson Davis'
93 birthday and Juneteenth, shall be observed by the closing of
94 all state offices. Any state office may remain open on a state
95 holiday upon written notice by the appointing authority to the
96 State Personnel Board at least 60 days in advance of the
97 holiday. Provided, that any state office may be opened in the
98 event of an emergency and the State Personnel Board may grant
99 a blanket approval for the openings of state offices needing
100 to be open on holidays on a regular basis for essential
101 services. Any state employee working on a state holiday shall
102 receive a day of compensatory leave or paid compensation in
103 lieu of the holiday as provided herein.

104 (2) Notwithstanding subdivision (1), employees shall be
105 given the option to observe either Jefferson Davis' birthday
106 or Juneteenth as a state holiday. Each agency shall establish
107 a policy to implement this subdivision.

108 (f) Each employee shall attempt to schedule any
109 compensatory leave day provided in lieu of a regularly
110 scheduled holiday, subject to the approval of the supervisor,
111 during the quarter that the regularly scheduled holiday
112 occurred. If any compensatory leave day cannot be scheduled



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113 during the designated quarter, the compensatory leave day may
114 be accumulated at the request of the employee for up to one
115 year. Supervisors failing to schedule compensatory leave days
116 for employees within the quarter, unless the day is carried
117 forward at the request of the employee, shall justify that
118 action in writing to the Director of State Personnel and the
119 employee shall receive pay at a rate not less than the
120 employee's usual and customary rate of pay for any
121 compensatory leave day to which the employee may be entitled
122 and which has not been taken.

123 (g) (1) The first day in December of each year is
124 designated as Mrs. Rosa L. Parks Day in this state. All
125 citizens of this state are requested to devote some portion of
126 Mrs. Rosa L. Parks Day to commemorate the accomplishments of
127 Mrs. Rosa L. Parks, a woman of great courage, vision, love,
128 and faith who helped usher in the modern civil rights movement
129 on December 1, 1955, by refusing to give up her seat on a bus
130 in Montgomery, Alabama. Each resident of this state is
131 requested to observe the day with appropriate activities.

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

134 Section 2. This act shall become effective on October
135 1, 2024.