

Representative Norman Thurston proposes the following substitute bill:

STATE HOLIDAY AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman Thurston

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to legal state holidays.

Highlighted Provisions:

This bill:

- ▶ modifies state holidays and leave days;
- ▶ requires the Division of Human Resource Management to establish rules governing paid time off and associated compensation for state employees required to work on legal holidays;
- ▶ requires the governor to determine which state offices and services will be closed and unavailable to the public on legal state holidays; and
- ▶ requires the governor to provide methods for the public to access state services on a legal state holiday, where practicable.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 **63G-1-301**, as last amended by Laws of Utah 2022, Chapter 331

27 ENACTS:

28 **63A-17-513**, Utah Code Annotated 1953

29 REPEALS:

30 **63A-17-101**, as renumbered and amended by Laws of Utah 2021, Chapter 344



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **63A-17-513** is enacted to read:

33 **63A-17-513. Personal holiday.**

34 As soon as practicable but no later than July 1, 2027, in accordance with Title 63G,
35 Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules establishing
36 policies and procedures to allow each employee to substitute the Columbus Day paid holiday
37 with another day of the employee's choosing, called a personal holiday.

38 Section 2. Section **63G-1-301** is amended to read:

39 **63G-1-301. Legal state holidays -- Governor authorized to declare additional**
40 **days.**

41 (1) (a) The following [=]named days are legal state holidays [~~in this state~~]:

- 42 (i) every Sunday, except as provided in Subsection [~~(1)(c)~~] (1)(d);
- 43 (ii) January 1, called New Year's Day;
- 44 (iii) the third Monday of January, called Dr. Martin Luther King, Jr. Day;
- 45 (iv) the third Monday of February, called Washington and Lincoln Day;
- 46 (v) the last Monday of May, called Memorial Day;
- 47 (vi) on the day described in Subsection [~~(1)(f)~~] (1)(e), Juneteenth National Freedom
- 48 Day;
- 49 (vii) July 4, called Independence Day;
- 50 (viii) July 24, called Pioneer Day;
- 51 (ix) the first Monday of September, called Labor Day;
- 52 (x) the second Monday of October, called Columbus Day;
- 53 (xi) November 11, called Veterans Day;
- 54 (xii) the fourth Thursday of November, called Thanksgiving Day;
- 55 (xiii) December 25, called Christmas; and

57 (xiv) all days which may be set apart by the President of the United States, or the
58 governor of this state by proclamation as days of fast or thanksgiving.

59 (b) [~~If any of the holidays under Subsections (1)(a)(ii) through (v) or Subsections~~
60 ~~(1)(a)(vii) through (xiv),]~~ Except for Juneteenth National Freedom Day, if a holiday described
61 in Subsections (1)(a)(ii) through (xiv) falls on Sunday, then the following Monday shall be the
62 state holiday.

63 (c) [~~If any of the holidays under Subsections (1)(a)(ii) through (v) or Subsections~~
64 ~~(1)(a)(vii) through (xiv)]~~ Except for Juneteenth National Freedom Day, if a holiday described
65 in Subsections (1)(a)(ii) through (xiv) falls on Saturday, then the preceding Friday shall be the
66 holiday.

67 [~~(d) Each employee may select one additional day, called Personal Preference Day, to~~
68 ~~be scheduled pursuant to rules adopted by the Division of Human Resource Management.]~~

69 [(~~e~~)] (d) For purposes of Utah Constitution Article VI, Section 16, Subsection (1),
70 regarding the exclusion of state holidays from the 45-day legislative general session, Sunday is
71 not considered a state holiday.

72 [(~~f~~)] (e) (i) The Juneteenth National Freedom Day holiday is on June 19, if that day is
73 on a Monday.

74 (ii) If June 19 is on a Tuesday, Wednesday, Thursday, or Friday, the Juneteenth
75 National Freedom Day state holiday is on the immediately preceding Monday.

76 (iii) If June 19 is on a Saturday or Sunday, the Juneteenth National Freedom Day state
77 holiday is on the immediately following Monday.

78 (2) (a) Whenever in the governor's opinion extraordinary conditions exist justifying the
79 action, the governor may:

80 (i) declare, by proclamation, [~~legal~~] state holidays in addition to those state holidays
81 under Subsection (1); and

82 (ii) limit the state holidays to certain classes of business and activities to be designated
83 by the governor.

84 (b) A state holiday may not extend for a longer period than 60 consecutive days.

85 (c) [~~Any~~] A state holiday may be renewed for one or more periods not exceeding 30
86 days each as the governor may consider necessary, and [~~any~~] a state holiday may, by like
87 proclamation, be terminated before the expiration of the period for which [~~it~~] the state holiday

88 was declared.

89 (3) For each state holiday:

90 (a) the governor shall determine which executive branch offices or services shall be
91 closed to the public;

92 (b) the governor shall provide opportunities for the public to access executive branch
93 services on the state holiday, where practicable; and

94 (c) the Division of Human Resource Management shall, in accordance with Title 63G,
95 Chapter 3, Utah Administrative Rulemaking Act, make rules governing paid time off for the
96 state holiday and associated compensation for executive branch employees that are required to
97 work on the state holiday.

98 Section 3. **Repealer.**

99 This bill repeals:

100 Section **63A-17-101**, Title.