
SENATE BILL 5159

State of Washington

69th Legislature

2025 Regular Session

By Senators Shewmake and Frame

Prefiled 01/07/25.

1 AN ACT Relating to establishing trick-or-treat day; amending RCW
2 1.16.050; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the celebration
5 of Halloween is a centuries old tradition celebrated by children and
6 the young at heart across Washington state. The celebration of this
7 holiday on October 31st when it falls during the school week,
8 however, has created a number of negative consequences including
9 learning loss and absenteeism on the day of and the day following
10 Halloween. It also makes it more difficult for families to celebrate
11 the holiday together.

12 The legislature finds that establishing a "Trick-or-Treat Day"
13 the weekend prior to the first day of November will reduce stress for
14 families and improve public safety by allowing children to begin
15 earlier in the day before nightfall and reduce accidents and
16 fatalities by allowing for roads to be closed that are utilized by
17 commuters during the school week.

18 **Sec. 2.** RCW 1.16.050 and 2024 c 76 s 3 are each amended to read
19 as follows:

20 (1) The following are state legal holidays:

- 1 (a) Sunday;
- 2 (b) The first day of January, commonly called New Year's Day;
- 3 (c) The third Monday of January, celebrated as the anniversary of
4 the birth of Martin Luther King, Jr.;
- 5 (d) The third Monday of February, to be known as Presidents' Day
6 and celebrated as the anniversary of the births of Abraham Lincoln
7 and George Washington;
- 8 (e) The last Monday of May, commonly known as Memorial Day;
- 9 (f) The nineteenth day of June, recognized as Juneteenth, a day
10 of remembrance for the day the African slaves learned of their
11 freedom;
- 12 (g) The fourth day of July, the anniversary of the Declaration of
13 Independence;
- 14 (h) The first Monday in September, to be known as Labor Day;
- 15 (i) The eleventh day of November, to be known as Veterans Day;
- 16 (j) The fourth Thursday in November, to be known as Thanksgiving
17 Day;
- 18 (k) The Friday immediately following the fourth Thursday in
19 November, to be known as Native American Heritage Day; and
- 20 (l) The twenty-fifth day of December, commonly called Christmas
21 Day.
- 22 (2) Employees of the state and its political subdivisions, except
23 employees of school districts and except those nonclassified
24 employees of institutions of higher education who hold appointments
25 or are employed under contracts to perform services for periods of
26 less than twelve consecutive months, are entitled to one paid holiday
27 per calendar year in addition to those specified in this section.
28 Each employee of the state or its political subdivisions may select
29 the day on which the employee desires to take the additional holiday
30 provided for in this section after consultation with the employer
31 pursuant to guidelines to be promulgated by rule of the appropriate
32 personnel authority, or in the case of local government by ordinance
33 or resolution of the legislative authority.
- 34 (3) Employees of the state and its political subdivisions,
35 including employees of school districts and those nonclassified
36 employees of institutions of higher education who hold appointments
37 or are employed under contracts to perform services for periods of
38 less than twelve consecutive months, are entitled to two unpaid
39 holidays per calendar year for a reason of faith or conscience or an
40 organized activity conducted under the auspices of a religious

1 denomination, church, or religious organization. This includes
2 employees of public institutions of higher education, including
3 community colleges, technical colleges, and workforce training
4 programs. The employee may select the days on which the employee
5 desires to take the two unpaid holidays after consultation with the
6 employer pursuant to guidelines to be promulgated by rule of the
7 appropriate personnel authority, or in the case of local government
8 by ordinance or resolution of the legislative authority. If an
9 employee prefers to take the two unpaid holidays on specific days for
10 a reason of faith or conscience, or an organized activity conducted
11 under the auspices of a religious denomination, church, or religious
12 organization, the employer must allow the employee to do so unless
13 the employee's absence would impose an undue hardship on the employer
14 or the employee is necessary to maintain public safety. Undue
15 hardship shall have the meaning established in rule by the office of
16 financial management under RCW 43.41.109.

17 (4) If any of the state legal holidays specified in this section
18 are also federal legal holidays but observed on different dates, only
19 the state legal holidays are recognized as a paid legal holiday for
20 employees of the state and its political subdivisions. However, for
21 port districts and the law enforcement and public transit employees
22 of municipal corporations, either the federal or the state legal
23 holiday is recognized as a paid legal holiday, but in no case may
24 both holidays be recognized as a paid legal holiday for employees.

25 (5) Whenever any state legal holiday:

26 (a) Other than Sunday, falls upon a Sunday, the following Monday
27 is the legal holiday; or

28 (b) Falls upon a Saturday, the preceding Friday is the legal
29 holiday.

30 (6) Nothing in this section may be construed to have the effect
31 of adding or deleting the number of paid holidays provided for in an
32 agreement between employees and employers of political subdivisions
33 of the state or as established by ordinance or resolution of the
34 local government legislative authority.

35 (7) The legislature declares that the following days are
36 recognized as provided in this subsection, but may not be considered
37 legal holidays for any purpose:

38 (a) The thirteenth day of January, recognized as Korean-American
39 day;

40 (b) The twelfth day of October, recognized as Columbus day;

1 (c) The ninth day of April, recognized as former prisoner of war
2 recognition day;

3 (d) The twenty-sixth day of January, recognized as Washington
4 army and air national guard day;

5 (e) The seventh day of August, recognized as purple heart
6 recipient recognition day;

7 (f) The second Sunday in October, recognized as Washington state
8 children's day;

9 (g) The sixteenth day of April, recognized as Mother Joseph day;

10 (h) The fourth day of September, recognized as Marcus Whitman
11 day;

12 (i) The seventh day of December, recognized as Pearl Harbor
13 remembrance day;

14 (j) The twenty-seventh day of July, recognized as national Korean
15 war veterans armistice day;

16 (k) The nineteenth day of February, recognized as civil liberties
17 day of remembrance;

18 (l) The thirtieth day of March, recognized as welcome home
19 Vietnam veterans day;

20 (m) The eleventh day of January, recognized as human trafficking
21 awareness day;

22 (n) The thirty-first day of March, recognized as Cesar Chavez
23 day;

24 (o) The tenth day of April, recognized as Dolores Huerta day;

25 (p) The fourth Saturday of September, recognized as public lands
26 day;

27 (q) The eighteenth day of December, recognized as blood donor
28 day;

29 (r) The fifteenth day of May, recognized as water safety day;

30 (s) The ninth day of March, recognized as Billy Frank Jr. day;

31 ((and))

32 (t) The date corresponding with the second new moon following the
33 winter solstice, or the third new moon following the winter solstice
34 should an intercalary month intervene, recognized as the lunar new
35 year; and

36 (u) The last Saturday in October, or the last Friday in October
37 as cities, towns, and counties may authorize due to inclement
38 weather, recognized as trick-or-treat day.

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