

1 HB115
2 202636-1
3 By Representative Jackson
4 RFD: State Government
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

8 SYNOPSIS: Under existing law, the state observes
9 certain days as state holidays.

10 This bill would designate the third Saturday
11 in June of each year as Juneteenth National Freedom
12 Day to commemorate the abolition of slavery
13 throughout the United States and its territories in
14 1865.

15 This bill would require the Governor to
16 issue an annual proclamation honoring this
17 observance and recognizing the important
18 contributions African-Americans have made to
19 Alabama's communities, culture, and economy.

20 This bill would encourage the Governor to
21 take action necessary to promote and encourage the
22 observance of Juneteenth.

23 This bill would allow public schools to
24 offer instruction and programs regarding
25 Juneteenth.

27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 To amend Section 1-3-8, Code of Alabama 1975,
5 relating to state holidays; to designate the third Saturday in
6 June of each year as Juneteenth National Freedom Day to
7 commemorate the abolition of slavery; to require the Governor
8 to issue an annual proclamation honoring this observance and
9 recognizing the important contributions of African-Americans;
10 to encourage the Governor to take actions necessary to promote
11 and encourage the observance of Juneteenth; and to allow
12 public schools to offer instructions and programs regarding
13 Juneteenth.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 1-3-8, Code of Alabama 1975, is
16 amended to read as follows:

17 "§1-3-8.

18 "(a) Sunday, Christmas Day, New Year's Day, Martin
19 Luther King, Jr.'s birthday, Robert E. Lee's birthday, George
20 Washington's birthday, Thomas Jefferson's birthday,
21 Confederate Memorial Day, National Memorial Day, Jefferson
22 Davis' birthday, the Fourth day of July, Labor Day, Columbus
23 Day and Fraternal Day, Veterans' Day, American Indian Heritage
24 Day, and the day designated by the Governor for public
25 thanksgiving shall each be deemed a holiday. If any holiday
26 falls on Sunday, the following day is the holiday. If any
27 holiday falls on Saturday, the preceding day is the holiday.

1 Veterans' Day shall be observed by the closing of all state,
2 county, and municipal offices, all banks located within this
3 state, and the public schools on such day. Public schools,
4 grades K to 12, inclusive, and all public two-year
5 institutions of higher education shall also be closed on
6 National Memorial Day, and such closing shall be applicable to
7 all students and non-essential employees. The Superintendent
8 of Banks, with the concurrence of not less than two members of
9 the state Banking Board, may authorize any state bank to close
10 on National Memorial Day, the last Monday in May, and on such
11 other days as may be declared by the Governor to be state
12 holidays in honor of a special event. If any authorized state
13 holiday falls on Friday, the Superintendent of Banks may
14 authorize the Saturday following that Friday to be a holiday.
15 The superintendent may also authorize the closing of banks at
16 12:00 noon on the day prior to Christmas Day, and the day
17 prior to New Year's Day, if such days fall on business days.

18 "(b) Of the above enumerated legal public holidays,
19 the following shall be observed on the dates herein
20 prescribed:

21 "(1) Robert E. Lee's birthday - the third Monday in
22 January.

23 "(2) George Washington's birthday - the third Monday
24 in February.

25 "(3) Confederate Memorial Day - the fourth Monday in
26 April.

1 "(4) Jefferson Davis' birthday - the first Monday in
2 June.

3 "(5) Columbus Day and Fraternal Day - the second
4 Monday in October.

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

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

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

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

11 "(10) American Indian Heritage Day - the second
12 Monday in October.

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

17 "(d) In addition to the legal holidays provided
18 above all state employees, except those employed in Baldwin
19 and Mobile Counties, shall be granted one personal leave day
20 per year. The personal leave day shall be granted on January 1
21 of each year. All state employees employed in Baldwin and
22 Mobile Counties shall be granted no personal leave day. All
23 such personal leave days granted in any year shall be used by
24 the end of the calendar year. All such personal leave days
25 shall be scheduled during the year with the approval of the
26 supervisor. Supervisors failing to schedule personal leave
27 days for employees shall justify that action in writing to the

1 Director of State Personnel and the employee shall receive pay
2 at a rate not less than the employee's usual and customary
3 rate of pay for any personal leave day not taken by December
4 31 of each year.

5 "(e) All state holidays shall be observed by the
6 closing of all state offices. Any state office may remain open
7 on a state holiday upon written notice by the appointing
8 authority to the State Personnel Board at least 60 days in
9 advance of the holiday. Provided, that any state office may be
10 opened in the event of an emergency and the State Personnel
11 Board may grant a blanket approval for the openings of state
12 offices needing to be open on holidays on a regular basis for
13 essential services. Any state employee working on a state
14 holiday shall receive a day of compensatory leave or paid
15 compensation in lieu of the holiday as provided herein.

16 "(f) Each employee shall attempt to schedule any
17 compensatory leave day provided in lieu of a regularly
18 scheduled holiday, subject to the approval of the supervisor,
19 during the quarter that the regularly scheduled holiday
20 occurred. If any compensatory leave day cannot be scheduled
21 during the designated quarter, the compensatory leave day may
22 be accumulated at the request of the employee for up to one
23 year. Supervisors failing to schedule compensatory leave days
24 for employees within the quarter, unless the day is carried
25 forward at the request of the employee, shall justify that
26 action in writing to the Director of State Personnel and the
27 employee shall receive pay at a rate not less than the

1 employee's usual and customary rate of pay for any
2 compensatory leave day to which the employee may be entitled
3 and which has not been taken.

4 "(g) (1) The first day in December of each year is
5 designated as Mrs. Rosa L. Parks Day in this state. All
6 citizens of this state are requested to devote some portion of
7 Mrs. Rosa L. Parks Day to commemorate the accomplishments of
8 Mrs. Rosa L. Parks, a woman of great courage, vision, love,
9 and faith who helped usher in the modern civil rights movement
10 on December 1, 1955, by refusing to give up her seat on a bus
11 in Montgomery, Alabama. Each resident of this state is
12 requested to observe the day with appropriate activities.

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

15 "(h) (1) The third Saturday in June of each year is
16 designated as Juneteenth National Freedom Day to commemorate
17 the abolition of slavery throughout the United States and its
18 territories in 1865. Juneteenth National Freedom Day may be
19 observed with suitable observances and exercises by civic
20 groups and the public, and citizens of the state are urged to
21 reflect on the suffering endured by early African-Americans
22 and to celebrate the unique freedom and equality enjoyed by
23 all state citizens today.

24 "(2) Each year the Governor shall issue a
25 proclamation honoring this observance and recognizing the
26 important contributions African-Americans have made to
27 Alabama's communities, culture, and economy. The Governor may

1 also take any additional action necessary to promote and
2 encourage the observance of Juneteenth, and public schools may
3 offer instruction and programs on the occasion."

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