

1 HB149
2 207606-2
3 By Representative Hatcher
4 RFD: State Government
5 First Read: 02-FEB-21
6 PFD: 01/26/2021

SYNOPSIS: This bill would designate the nineteenth day of each June as the state holiday of Juneteenth and would require the Governor to issue an annual proclamation honoring this observance.

This bill would allow each county and municipality to elect to observe Juneteenth as a holiday.

A BILL
TO BE ENTITLED
AN ACT

Relating to state holidays; to amend Section 1-3-8, Code of Alabama 1975, to designate the nineteenth day of each June as Juneteenth and to include it within the list of holidays observed by the state; to require the Governor to annually issue a proclamation honoring the observance of Juneteenth; and to allow each county and municipality to elect to observe Juneteenth as a holiday.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The Legislature finds and declares the
2 following:

3 (1) On June 19, 1865, Union Army General Gordon
4 Granger announced federal orders in Galveston, Texas,
5 proclaiming that all slaves in Texas were free from embondaged
6 servitude.

7 (2) President Abraham Lincoln's Emancipation
8 Proclamation had officially outlawed slavery in all states in
9 rebellion almost two and a half years earlier, but due to
10 geography, the ongoing conflict, and the technology of the
11 day, news of emancipation had not yet reached Texas by June of
12 1865.

13 (3) The date of General Granger's announcement, now
14 known as "Juneteenth" but also referred to as "Jubilee Day,"
15 "Liberation Day," or "Emancipation Day," commemorates the
16 joyful fulfillment of freedom deferred.

17 Section 2. Section 1-3-8, Code of Alabama 1975, is
18 amended to read as follows:

19 "§1-3-8.

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

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

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

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

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

1 "(3) Confederate Memorial Day - the fourth Monday in
2 April.

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

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

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

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

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

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

13 "(10) American Indian Heritage Day - the second
14 Monday in October.

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

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

1 supervisor. Supervisors failing to schedule personal leave
2 days for employees shall justify that action in writing to the
3 Director of State Personnel and the employee shall receive pay
4 at a rate not less than the employee's usual and customary
5 rate of pay for any personal leave day not taken by December
6 31 of each year.

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

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

1 action in writing to the Director of State Personnel and the
2 employee shall receive pay at a rate not less than the
3 employee's usual and customary rate of pay for any
4 compensatory leave day to which the employee may be entitled
5 and which has not been taken.

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

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

17 "(h) (1) The nineteenth day in June of each year is
18 designated as Juneteenth in this state. All citizens of this
19 state are urged to devote some portion of Juneteenth to
20 reflect upon the impact of the institution of slavery upon
21 this nation and the world, and to celebrate the triumph of the
22 human spirit over the chains of bondage. Each resident of this
23 state is requested to observe the day with appropriate
24 activities.

25 "(2) Each year, the Governor shall issue a
26 proclamation honoring this observance.

1 "(3) Each county and municipality may elect to
2 observe Juneteenth as a holiday."

3 Section 3. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.