HB160

N7WW8J8-1

By Representative Hall

RFD: State Government

First Read: 14-Feb-24

SYNOPSIS:

Existing law establishes state holidays.

This bill would specify that the State of Alabama shall observe as holidays all days designated as a holiday by the federal government.

This bill would delete duplicative language and would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL

TO BE ENTITLED

AN ACT

Relating to state holidays; to amend Section 1-3-8, Code of Alabama 1975; to specify that the State of Alabama shall observe as holidays days designated as a holiday by the federal government; and to delete duplicative language and make nonsubstantive, technical revisions to update the existing code language to current style.

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 Davis' birthday, the Fourth day of July, Labor Day, Columbus Day and Fraternal Day, Veterans' Day, American Indian Heritage Day, and the day designated by the Governor for public thanksgiving shall each be deemed a holiday. If any holiday falls on Sunday, the following day is the holiday. If any holiday falls on Saturday, the preceding day is the holiday. Veterans' Day shall be observed by the closing of all state, county, and municipal offices, all banks located within this state, and the public schools on such day. Public schools, grades K to 12, inclusive, and all public two-year institutions of higher education shall also be closed on National Memorial Day, and such closing shall be applicable to all students and non-essential employees.~~ The State of Alabama shall recognize and observe the following days as public and legal holidays:

(1) All days which have been designated as of January 1, 2023, as public and legal holidays by the federal government.

(2) All other days designated and proclaimed by the Governor as public and legal holidays or as days of fasting and prayer or other religious observance. If the Governor designates additional days pursuant to this subdivision, the Governor shall include at least one of the following dates:

a. The third Monday in January.

b. The fourth Monday in April.

c. The first Monday in June.

d. A suitable date in lieu thereof to commemorate the event or events observed by the dates in paragraphs a. through c.

(b) If any holiday falls on Sunday, the following day is the holiday. If any holiday falls on Saturday, the preceding day is the holiday.

(c) The Governor shall close all state offices and facilities a minimum of 13 days throughout the year and not more than 13 days in observance of the public and legal holidays and other days set forth in subsection (a). The Governor shall also specify the days state offices and facilities shall be closed in observation of public and legal holidays.

(d) The Superintendent of Banks, with the concurrence of not less than two members of the state Banking Board, may authorize ~~any state bank to close on National Memorial Day, the last Monday in May,~~ the closure of state banks in observance of any state or federal holiday and on ~~such~~ any other ~~days~~ day as may be declared by the Governor to be a state ~~holidays~~ holiday or by the President of the United States to be a federal holiday in honor of a special event. If ~~any authorized~~ a state holiday falls on Friday, the Superintendent of Banks may authorize the Saturday following that Friday to be a holiday. The superintendent may also authorize the closing of banks at 12:00 noon on the day prior to Christmas Day~~,~~ and the day prior to New Year's Day, if ~~such days~~ the holidays fall on business days.

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

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

~~(2) George Washington's birthday - the third Monday in February.~~

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

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

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

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

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

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

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

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

~~(c)~~ (e)(1) In addition to the legal holidays provided ~~above~~ in subsection (a), Mardi Gras shall be deemed a holiday in Mobile and Baldwin Counties and all state offices shall be closed in those counties on Mardi Gras.

~~(d)~~ (2) All ~~In addition to the legal holidays provided above all~~ state employees~~, except~~ other than those employed in Baldwin and Mobile Counties~~,~~ shall be granted one personal leave day per year. The personal leave day shall be granted on

January 1 of each year. All state employees employed in Baldwin and Mobile Counties shall be granted no personal leave day. All ~~such~~ personal leave days granted in any year pursuant to this section shall be used by the end of the calendar year~~.~~ ~~All such personal leave days shall~~ and must be scheduled during the year with the approval of the supervisor. Supervisors failing to schedule personal leave days for employees shall justify that action in writing to the Director of State Personnel and the employee shall receive pay at a rate not less than the employee's usual and customary rate of pay for any personal leave day not taken by December 31 of each year.

~~(e)~~(f)(1) ~~All state holidays shall be observed by the closing of all state offices.~~ Any state office may remain open on a state holiday upon written notice by the appointing authority to the State Personnel Board at least 60 days in advance of the holiday. ~~Provided, that~~ In addition, any state office may be opened in the event of an emergency, and the State Personnel Board may grant a blanket approval for the ~~openings~~ opening of state offices needing to be open on holidays on a regular basis for essential services.

(2) Any state employee working on a state holiday shall receive a day of compensatory leave or paid compensation in lieu of the holiday ~~as provided herein~~.

~~(f)~~(g) Each employee shall attempt to schedule any compensatory leave day provided in lieu of a regularly scheduled holiday, subject to the approval of ~~the~~ his or her supervisor, during the quarter that the regularly scheduled

holiday occurred. If any compensatory leave day cannot be scheduled during the designated quarter, the compensatory leave day may be accumulated at the request of the employee for up to one year. Supervisors failing to schedule compensatory leave days for employees within the quarter, unless the day is carried forward at the request of the employee, shall justify that action in writing to the Director of State Personnel and the employee shall receive pay at a rate not less than the employee's usual and customary rate of pay for any compensatory leave day to which the employee may be entitled and which has not been taken.

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

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

Section 2. This act shall become effective on January 1, 2025.