

HB367 INTRODUCED



1 HB367
2 K3X2AUA-1
3 By Representatives Sells, Rehm
4 RFD: State Government
5 First Read: 21-Mar-24



SYNOPSIS:

Under existing law, state holidays are enumerated and the state observes state holidays by the closing of all state offices.

This bill would add Juneteenth as a state holiday and provide that state offices shall not close on Jefferson Davis' birthday and Juneteenth.

A BILL
TO BE ENTITLED
AN ACT

Relating to state holidays; to amend Section 1-3-8, Code of Alabama 1975, to add Juneteenth as a state holiday and provide that state offices shall not close on Jefferson Davis' birthday and Juneteenth.

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



HB367 INTRODUCED

Davis' birthday, Juneteenth, 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 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, and on such other days as may be declared by the Governor to be state holidays in honor of a special event. If any authorized 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 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



HB367 INTRODUCED

February.

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

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

(5) Juneteenth--the nineteenth day of June.

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

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

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

~~(8)~~ (9) National Memorial Day - the last Monday in May.

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

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

(c) In addition to the legal holidays provided above, 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) In addition to the legal holidays provided above all state employees, except 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 shall be used by the end of the calendar year. All ~~such~~ personal leave days shall



HB367 INTRODUCED

85 be scheduled during the year with the approval of the
86 supervisor. Supervisors failing to schedule personal leave
87 days for employees shall justify that action in writing to the
88 Director of State Personnel and the employee shall receive pay
89 at a rate not less than the employee's usual and customary
90 rate of pay for any personal leave day not taken by December
91 31 of each year.

92 (e) (1) All state holidays, except Jefferson Davis'
93 birthday and Juneteenth, shall be observed by the closing of
94 all state offices. Any state office may remain open on a state
95 holiday upon written notice by the appointing authority to the
96 State Personnel Board at least 60 days in advance of the
97 holiday. Provided, that any state office may be opened in the
98 event of an emergency and the State Personnel Board may grant
99 a blanket approval for the openings of state offices needing
100 to be open on holidays on a regular basis for essential
101 services. Any state employee working on a state holiday shall
102 receive a day of compensatory leave or paid compensation in
103 lieu of the holiday as provided herein.

104 (2) Notwithstanding subdivision (1), employees shall be
105 given the option to observe either Jefferson Davis' birthday
106 or Juneteenth as a state holiday. Each agency shall establish
107 a policy to implement this subdivision.

108 (f) Each employee shall attempt to schedule any
109 compensatory leave day provided in lieu of a regularly
110 scheduled holiday, subject to the approval of the supervisor,
111 during the quarter that the regularly scheduled holiday
112 occurred. If any compensatory leave day cannot be scheduled



HB367 INTRODUCED

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) 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 October 1, 2024.