

ACT No. 2000 - 114

1 SB172  
2 24432-2  
3 By Senator Holley  
4 RFD: Governmental Affairs  
5 First Read: 01-FEB-2000



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3 Enrolled, An Act,

4 To amend Section 1-3-8, Code of Alabama 1975,  
5 relating to the observance of state holidays, to include the  
6 observance of the American Indian Heritage Day within the list  
7 of holidays observed by the state.

8 ~~BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:~~

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

11 "§1-3-8.

12 "(a) Sunday, Christmas Day, New Year's Day, Martin  
13 Luther King, Jr.'s birthday, Robert E. Lee's birthday, George  
14 Washington's birthday, Thomas Jefferson's birthday,  
15 Confederate Memorial Day, National Memorial Day, Jefferson  
16 Davis' birthday, the Fourth day of July, Labor Day, Columbus  
17 Day and Fraternal Day, Veterans' Day, American Indian Heritage  
18 Day, and the day designated by the Governor for public  
19 thanksgiving shall each be deemed a holiday. If any holiday  
20 falls on Sunday, the following day is the holiday. If any  
21 holiday falls on Saturday, the preceding day is the holiday.  
22 Veterans' Day shall be observed by the closing of all state,  
23 county and municipal offices, all banks located within this  
24 state and the public schools on such day. The superintendent  
25 of banks, with the concurrence of not less than two members of  
26 the state banking board, may authorize any state bank to close

1 on National Memorial Day, the last Monday in May, and on such  
2 other days as may be declared by the Governor to be state  
3 holidays in honor of a special event. In the event any  
4 authorized state holiday falls on Friday, the Superintendent  
5 of Banks may authorize the Saturday following that Friday to  
6 be a holiday. The superintendent may also authorize the  
7 closing of banks at 12:00 noon on the day prior to Christmas  
8 Day, and the day prior to New Year's Day, if such days fall on  
9 business days.

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

13 " (1) Robert E. Lee's birthday — the third Monday in  
14 January.

15 " (2) George Washington's birthday — the third Monday  
16 in February.

17 " (3) Confederate Memorial Day — the fourth Monday in  
18 April.

19 " (4) Jefferson Davis' birthday — the first Monday in  
20 June.

21 " (5) Columbus Day and Fraternal Day — the second  
22 Monday in October.

23 " (6) Veterans' Day — the eleventh day of November.

24 " (7) Martin Luther King, Jr.'s birthday — the third  
25 Monday in January.

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

1           "(9) Thomas Jefferson's birthday — the third Monday  
2 in February.

3           "(10) American Indian Heritage Day - the second  
4 Monday in October.

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

9           "(d) In addition to the legal holidays provided  
10 above all state employees, except those employed in Baldwin  
11 and Mobile Counties, shall be granted one personal leave day  
12 per year. The personal leave day shall be granted on January 1  
13 of each year. All state employees employed in Baldwin and  
14 Mobile Counties shall be granted no personal leave day. All  
15 such personal leave days granted in any year shall be used by  
16 the end of the calendar year. All such personal leave days  
17 shall be scheduled during the year with the approval of the  
18 supervisor. Supervisors failing to schedule personal leave  
19 days for employees must justify that action in writing to the  
20 Director of State Personnel and the employee shall receive pay  
21 at a rate not less than the employee's usual and customary  
22 rate of pay for any personal leave day not taken by December  
23 31 of each year.

24           "(e) All state holidays shall be observed by the  
25 closing of all state offices. Any state office may remain open  
26 on a state holiday upon written notice by the appointing

1 authority to the State Personnel Board at least 60 days in  
2 advance of the holiday. Provided, that any state office may be  
3 opened in the event of an emergency and the State Personnel  
4 Board may grant a blanket approval for the openings of state  
5 offices needing to be open on holidays on a regular basis for  
6 essential services. Any state employee working on a state  
7 holiday shall receive a day of compensatory leave or paid  
8 compensation in lieu of the holiday as provided herein.

9       "(f) Each employee shall attempt to schedule any  
10 compensatory leave day provided in lieu of a regularly  
11 scheduled holiday, subject to the approval of the supervisor,  
12 during the quarter that the regularly scheduled holiday  
13 occurred. In the event that any compensatory leave day cannot  
14 be scheduled during the designated quarter, then the  
15 compensatory leave day may be accumulated at the request of  
16 the employee for up to one year. Supervisors failing to  
17 schedule compensatory leave days for employees within the  
18 quarter, unless the day is carried forward at the request of  
19 the employee, must justify that action in writing to the  
20 Director of State Personnel and the employee shall receive pay  
21 at a rate not less than the employee's usual and customary  
22 rate of pay for any compensatory leave day to which he may be  
23 entitled and which has not been taken."

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

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*Gene Hinson*

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President and Presiding Officer of the  
Senate

*Art. / Smith*

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Speaker of the House of Represent-  
tatives

SB172

Senate 22-FEB-2000  
I hereby certify that the within Act originated in  
and passed the Senate.

McDowell Lee  
Secretary

\_\_\_\_\_  
House of Representatives  
Passed: 08-MAR-2000

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By: Senator Holley

APPROVED 3/15/00  
TIME 10:00AM  
*[Signature]*  
GOVERNOR

Alabama Secretary of State

Act Num....: 2000-114  
Bill Num....: S-172