

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 20-0071.01 Megan Waples x4348

HOUSE BILL 20-1031

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A BILL FOR AN ACT

101 **CONCERNING THE ESTABLISHMENT OF A NEW STATE HOLIDAY IN PLACE**
102 **OF COLUMBUS DAY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes Colorado day as a state legal holiday in place of Columbus day. It also makes conforming amendments, including repealing the existing statute concerning Colorado day as a commemorative holiday.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
March 10, 2020

SENATE
2nd Reading Unamended
March 9, 2020

HOUSE
3rd Reading Unamended
February 19, 2020

HOUSE
Amended 2nd Reading
February 12, 2020

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) State holidays are intended to honor prominent figures in
5 United States history and acknowledge other civic events and celebrations
6 in Colorado.

7 (b) Although Christopher Columbus is recognized as a voyager
8 who arrived in what is now known as the Caribbean Sea, he never
9 traveled to or entered the territory that became the United States. He had
10 no knowledge of or contact with the area now known as the state of
11 Colorado, providing no rationale for a Colorado state holiday in his name.
12 In 1492, he was welcomed by the indigenous Taino people to their
13 homeland on the island of Quiqueya, which Columbus renamed
14 Hispaniola. Fifty years later, the Taino people had been nearly
15 exterminated by Columbus and his successors.

16 (c) Frances Xavier Cabrini was a humanitarian champion of
17 immigrants and children in the United States. Cabrini first came to
18 Colorado in 1902. In 1905, she opened the Queen of Heaven Orphanage
19 for girls in a residence in north Denver.

20 (d) In her lifetime, Cabrini was responsible for founding
21 sixty-seven institutions, including schools, hospitals, and orphanages
22 throughout the United States and in South and Central America.

23 (e) In 1909, Cabrini negotiated the purchase of a rural property to
24 serve as a summer camp for the girls living in the orphanage. The land
25 was on the eastern slope of Lookout Mountain in Golden and had no
26 reliable source of water.

27 (f) During Cabrini's last visit to Colorado in 1912, while staying

1 at the mountain camp, she directed the girls to dig under a specific rock
2 where they found a spring of fresh water. That spring continues to
3 provide water to the property today.

4 (g) The land upon which Cabrini established her orphanage and
5 camp is the traditional territory and homeland of the Cheyenne, Arapaho,
6 and Ute indigenous nations. Those indigenous peoples, and all indigenous
7 peoples, have a special, sacred relationship with water, similar to that of
8 Cabrini.

9 (h) Cabrini was naturalized as a United States citizen in October
10 1909. Recognizing the first Monday in October as Frances Xavier Cabrini
11 Day in recognition of Cabrini's contributions to the state of Colorado
12 creates an opportunity to promote an appreciation, tolerance, and
13 understanding of the different cultures that make up our state.

14 (2) Therefore, in order to preserve the number of state holidays
15 while commemorating the contributions of Cabrini to Colorado and the
16 United States, the general assembly hereby replaces Columbus day with
17 Frances Xavier Cabrini day as a legal state holiday.

18 **SECTION 2.** In Colorado Revised Statutes, 24-11-101, **amend**
19 (1) as follows:

20 **24-11-101. Legal holidays - effect.** (1) The following days, viz:
21 The first day of January, commonly called New Year's day; the third
22 Monday in January, which shall be observed as the birthday of Dr. Martin
23 Luther King, Jr.; the third Monday in February, commonly called
24 Washington-Lincoln day; the last Monday in May, commonly called
25 Memorial day; the fourth day of July, commonly called Independence
26 day; the first Monday in September, commonly called Labor day; the
27 ~~second~~ **FIRST** Monday in October, commonly called ~~Columbus~~ **FRANCES**

1 XAVIER CABRINI day; the eleventh day of November, commonly called
2 Veterans' day; the fourth Thursday in November, commonly called
3 Thanksgiving day; the twenty-fifth day of December, commonly called
4 Christmas day; and any day appointed or recommended by the governor
5 of this state or the president of the United States as a day of fasting or
6 prayer or thanksgiving, are hereby declared to be legal holidays and shall,
7 for all purposes whatsoever, as regards the presenting for payment or
8 acceptance and the protesting and giving notice of the dishonor of bills
9 of exchange, drafts, bank checks, promissory notes, or other negotiable
10 instruments and also for the holding of courts, be treated and considered
11 as is the first day of the week commonly called Sunday.

12 **SECTION 3.** In Colorado Revised Statutes, 5-1-301, **amend** (6)
13 as follows:

14 **5-1-301. General definitions.** In addition to definitions appearing
15 in subsequent articles, as used in this code, unless the context otherwise
16 requires:

17 (6) "Business day" means any calendar day except Sunday, New
18 Year's day, the third Monday in January observed as the birthday of Dr.
19 Martin Luther King, Jr., Washington-Lincoln day, Memorial day,
20 Independence day, Labor day, Columbus FRANCES XAVIER CABRINI day,
21 Veterans' day, Thanksgiving day, and Christmas day.

22 **SECTION 4.** In Colorado Revised Statutes, 6-1-102, **amend** (2.5)
23 as follows:

24 **6-1-102. Definitions.** As used in this article 1, unless the context
25 otherwise requires:

26 (2.5) "Business day" means any calendar day except Sunday, New
27 Year's day, the third Monday in January observed as the birthday of Dr.

1 Martin Luther King, Jr., Washington-Lincoln day, Memorial day,
2 Independence day, Labor day, Columbus FRANCES XAVIER CABRINI day,
3 Veterans' day, Thanksgiving, and Christmas.

4 **SECTION 5. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2020 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.