

CHAPTER 352

GOVERNMENT - STATE

SENATE BILL 02-053

BY SENATOR(S) Hernandez, Chlouber, Epps, Evans, Linkhart, Nichol, Pascoe, Perlmutter, Phillips, Tate, Thiebaut, and Tupa;
also REPRESENTATIVE(S) Mace, Borodkin, Chavez, Coleman, Garcia, Groff, Madden, Marshall, Plant, Ragsdale, Rippey,
Saliman, Snook, Tapia, Tochtrop, Veiga, Vigil, and Weddig.

AN ACT

CONCERNING THE DESIGNATION OF THE THIRTY-FIRST DAY OF MARCH AS A LEGAL HOLIDAY FOR THE OBSERVATION OF THE BIRTHDAY OF CESAR ESTRADA CHAVEZ AS "CESAR CHAVEZ DAY".

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

SECTION 1. 24-11-101 (1), Colorado Revised Statutes, is amended to read:

24-11-101. Legal holidays - effect. (1) The following days, viz: The first day of January, commonly called New Year's day; the third Monday in January, which shall be observed as the birthday of Dr. Martin Luther King, Jr.; the third Monday in February, commonly called Washington-Lincoln day; THE THIRTY-FIRST DAY OF MARCH, WHICH SHALL BE OBSERVED AS THE BIRTHDAY OF CESAR ESTRADA CHAVEZ AND COMMONLY CALLED CESAR CHAVEZ DAY IN TRIBUTE TO HIS UNSELFISH COMMITMENT TO THE PRINCIPLES OF SOCIAL JUSTICE AND RESPECT FOR HUMAN DIGNITY; the last Monday in May, commonly called Memorial day; the fourth day of July, commonly called Independence day; the first Monday in September, commonly called Labor day; the second Monday in October, commonly called Columbus day; the eleventh day of November, commonly called Veterans' day; the fourth Thursday in November, commonly called Thanksgiving day; the twenty-fifth day of December, commonly called Christmas day; and any day appointed or recommended by the governor of this state or the president of the United States as a day of fasting or prayer or thanksgiving, are hereby declared to be legal holidays and shall, for all purposes whatsoever, as regards the presenting for payment or acceptance and the protesting and giving notice of the dishonor of bills of exchange, drafts, bank checks, promissory notes, or other negotiable instruments and also for the holding of courts, be treated and considered as is the first day of the week commonly called Sunday.

SECTION 2. Repeal. 24-11-112, Colorado Revised Statutes, is repealed as

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

follows:

~~24-11-112. César Chávez Day. (1) The thirty-first day of March in each year, the same being the anniversary of the birth of César Estrada Chávez, shall be known as "César Chávez Day" and appropriate observance may be held by the public and in all public schools of the state in tribute to his unselfish commitment to the principles of social justice and respect for human dignity.~~

~~(2) The head of a state agency may allow an employee of the agency to have a day off with pay on César Chávez day in lieu of any other legal holiday described in section 24-11-101 (1) that occurs in the same state fiscal year on a weekday, other than a weekday on which an election is held throughout the state, on which the state agency is required to be open but on which the operations of the agency are required to be maintained at only a minimum level.~~

~~(3) On César Chávez day, each state agency shall remain open and conduct the operations of the agency at no less than a minimum level.~~

~~(4) A holiday allowed under this section is in lieu of a legal holiday described in section 24-11-101 (1). The total number of legal holidays in a state fiscal year available to an employee of a state agency is not changed by this section.~~

SECTION 3. 5-1-301 (6), Colorado Revised Statutes, is amended to read:

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

(6) "Business day" means any calendar day except Sunday, New Year's day, the third Monday in January observed as the birthday of Dr. Martin Luther King, Jr., CESAR CHAVEZ DAY, Washington-Lincoln day, Memorial day, Independence day, Labor day, Columbus day, Veterans' day, Thanksgiving day, and Christmas day.

SECTION 4. 22-1-112, Colorado Revised Statutes, is amended to read:

22-1-112. School year - national holidays - Cesar Chavez day. The school year shall begin on the first day of July and end on the thirtieth day of June. The term "national holidays" in this title shall be construed to mean Thanksgiving day, Christmas day, New Year's day, the third Monday in January, observed as the birthday of Dr. Martin Luther King, Jr., Washington-Lincoln day, Memorial day, Labor day, Independence day, and Veterans' day. FOR PURPOSES OF THIS TITLE, THE TERM "NATIONAL HOLIDAYS" SHALL BE CONSTRUED TO ALSO INCLUDE CESAR CHAVEZ DAY.

SECTION 5. Refer to people under referendum. This act shall be submitted to a vote of the registered electors of the state of Colorado at the next biennial regular

general election, for their approval or rejection, under the provisions of the referendum as provided for in section 1 of article V of the state constitution, and in article 40 of title 1, Colorado Revised Statutes. Each elector voting at said election and desirous of voting for or against said act shall cast a vote as provided by law either "Yes" or "No" on the proposition: "SHALL THE THIRTY-FIRST DAY OF MARCH BE DESIGNATED A LEGAL HOLIDAY FOR OBSERVING THE BIRTHDAY OF CESAR ESTRADA CHAVEZ AS "CESAR CHAVEZ DAY"?" The votes cast for the adoption or rejection of said act shall be canvassed and the result determined in the manner provided by law for the canvassing of votes for representatives in Congress.