

By Senator Hill

1-534-05

1 A bill to be entitled

2 An act relating to election days; amending s.

3 110.117, F.S.; adding primary and general

4 election days to the list of paid holidays for

5 state employees; creating s. 112.0465, F.S.;

6 providing that each primary or general election

7 day is a legal holiday; requiring county,

8 municipal, and other political subdivisions to

9 close their offices during the whole of the

10 day; providing that a primary and general

11 election day is a paid holiday for employees;

12 amending s. 683.01, F.S.; adding the primary

13 election day to the list of legal holidays;

14 amending s. 1001.42, F.S.; requiring a district

15 school board to recognize the primary and

16 general election day as a legal holiday;

17 requiring public schools to be closed and the

18 employees of the school district to be given a

19 paid holiday; providing an effective date.

21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Subsection (1) of section 110.117, Florida

24 Statutes, is amended to read:

25 110.117 Paid holidays.--

26 (1) The following holidays shall be paid holidays

27 observed by all state branches and agencies:

28 (a) New Year's Day.

29 (b) Birthday of Martin Luther King, Jr., third Monday

30 in January.

31 (c) Memorial Day.

- 1 (d) Independence Day.
2 (e) Labor Day.
3 (f) Primary and General Election Day.
4 ~~(g)(f)~~ Veterans' Day, November 11.
5 ~~(h)(g)~~ Thanksgiving Day.
6 ~~(i)(h)~~ Friday after Thanksgiving.
7 ~~(j)(i)~~ Christmas Day.
8 ~~(k)(j)~~ If any of these holidays falls on Saturday, the
9 preceding Friday shall be observed as a holiday. If any of
10 these holidays falls on Sunday, the following Monday shall be
11 observed as a holiday.

12 Section 2. Section 112.0465, Florida Statutes, is
13 created to read:

14 112.0465 Election days.--

15 (1) As used in this section, the term:

16 (a) "Employer" means the state or any county,
17 municipality, or special district or any subdivision or agency
18 thereof. The term does not include any law enforcement agency
19 or firefighting agency in this state.

20 (b) "Employee" means an individual employed by any
21 employer.

22 (2) Every day on which a primary or general election
23 is held in this state is a legal holiday for all governmental
24 purposes and the offices of all employers shall be closed
25 during the whole of the day.

26 (3) Every day on which a primary or general election
27 is held in this state shall be a paid holiday for each
28 employee.

29 Section 3. Subsection (1) of section 683.01, Florida
30 Statutes, is amended to read:

31 683.01 Legal holidays.--

1 (1) The legal holidays, which are also public
2 holidays, are the following:

- 3 (a) Sunday, the first day of each week.
4 (b) New Year's Day, January 1.
5 (c) Birthday of Martin Luther King, Jr., January 15.
6 (d) Birthday of Robert E. Lee, January 19.
7 (e) Lincoln's Birthday, February 12.
8 (f) Susan B. Anthony's Birthday, February 15.
9 (g) Washington's Birthday, the third Monday in
10 February.
11 (h) Good Friday.
12 (i) Pascua Florida Day, April 2.
13 (j) Confederate Memorial Day, April 26.
14 (k) Memorial Day, the last Monday in May.
15 (l) Birthday of Jefferson Davis, June 3.
16 (m) Flag Day, June 14.
17 (n) Independence Day, July 4.
18 (o) Labor Day, the first Monday in September.
19 (p) Columbus Day and Farmers' Day, the second Monday
20 in October.
21 (q) Veterans' Day, November 11.
22 (r) Primary and General Election Day.
23 (s) Thanksgiving Day, the fourth Thursday in November.
24 (t) Christmas Day, December 25.
25 (u) Shrove Tuesday, sometimes also known as "Mardi
26 Gras," in counties where carnival associations are organized
27 for the purpose of celebrating the same.

28 Section 4. Paragraph (g) of subsection (4) of section
29 1001.42, Florida Statutes, is amended to read:

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1 1001.42 Powers and duties of district school
2 board.--The district school board, acting as a board, shall
3 exercise all powers and perform all duties listed below:
4 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF
5 SCHOOLS.--Adopt and provide for the execution of plans for the
6 establishment, organization, and operation of the schools of
7 the district, including, but not limited to, the following:
8 (g) Observance of school holidays and vacation
9 periods.--Designate the observance of school holidays and
10 vacation periods. However, every day on which a primary or
11 general election is held in this state shall be a legal
12 holiday for all school purposes. All public schools shall be
13 closed during the whole of the day, and the day is a paid
14 holiday for each employee of the school district. This
15 paragraph does not prevent a school from being designated as a
16 poling place.

17 Section 5. This act shall take effect July 1, 2005.

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20 SENATE SUMMARY

21 Adds primary and general election days to the list of
22 paid holidays for employees of the state. Provides that
23 the primary or general election day is a legal holiday
24 and that the offices of county, municipal, and other
25 political subdivisions be closed during the whole of the
26 day. Provides that a primary and general election day is
27 a paid holiday. Adds the primary election day to the list
28 of state legal holidays. Requires the district school
29 board to recognize the primary and general election day
30 as a legal holiday. Requires public schools to be closed
31 and the employees to be granted a paid holiday.