

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Community Affairs

BILL: SB 224

INTRODUCER: Senators Book and Farmer

SUBJECT: Legal Holidays

DATE: February 5, 2018

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cochran	Yeatman	CA	Favorable
2.			GO	
3.			RC	

I. Summary:

SB 224 removes from statute the designations of the birthdays of Robert E. Lee and Jefferson Davis and Confederate Memorial Day as legal holidays.

II. Present Situation:

Legal Holidays and Special Observance Days

Chapter 683, F.S., establishes legal holidays and special observance days. Legal holidays and special observance days may apply throughout the state or they may be limited to particular counties. For example, "Gasparilla Day"¹ is a legal holiday observed only in Hillsborough County, while "Bill of Rights Day,"² if issued by the Governor, is observed throughout the state. Also, designation of a day as a legal holiday does not necessarily make that day a paid holiday for public employees. Section 110.117, F.S., establishes which legal holidays are paid holidays for public employees.³

The legal holidays established in s. 683.01(1), F.S., are:

- (a) Sunday, the first day of each week.⁴
- (b) New Year's Day, January 1.
- (c) Birthday of Martin Luther King, Jr., January 15.
- (d) Birthday of Robert E. Lee, January 19.
- (e) Lincoln's Birthday, February 12.

¹ Section 683.08, F.S.

² Section 683.25, F.S.

³ Section 110.117(1), F.S., provides the following holidays as paid holidays for all state branches and agencies: New Year's Day; Martin Luther King Birthday; Memorial Day; Independence Day; Labor Day; Veteran's Day; Thanksgiving Day and Friday after Thanksgiving; and Christmas Day.

⁴ Sunday as a holiday has its origins in the Christian Sabbath or day of rest.

- (f) Susan B. Anthony's Birthday, February 15.
- (g) Washington's Birthday, the third Monday in February.
- (h) Good Friday.
- (i) Pascua Florida Day, April 2.⁵
- (j) Confederate Memorial Day, April 26.
- (k) Memorial Day, the last Monday in May.
- (l) Birthday of Jefferson Davis, June 3.
- (m) Flag Day, June 14.
- (n) Independence Day, July 4.
- (o) Labor Day, the first Monday in September.
- (p) Columbus Day and Farmers' Day, the second Monday in October.
- (q) Veterans' Day, November 11.

The birthday of Robert E. Lee became a legal holiday in 1895.⁶ Confederate Memorial Day, originally known as Memorial Day, became a legal holiday in 1895.⁷ The birthday of Jefferson Davis became a legal holiday in 1905.⁸

III. Effect of Proposed Changes:

Section 1 amends s. 683.01, F.S., to remove the designation of the birthday of Robert E. Lee (Jan. 19), the birthday of Jefferson Davis (June 3), and Confederate Memorial Day (Apr. 26) as legal holidays.

Section 2 provides the bill takes effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

⁵ "Pascua Florida" is a Spanish term that means *flowery festival or feast of flowers*. It usually refers to the Easter season, though, "Pascua" can, depending on the context, refer to the Jewish Passover, Easter, Christmas, Epiphany or Pentecost. *See*, <http://www.answers.com/topic/pascua-florida>. April 2 each year is designated as "Florida State Day" and is known as "Pascua Florida Day." Juan Ponce de León called the land he encountered in 1513 "Pascua Florida." The holiday is to be observed in the same manner as a "patriotic occasion."

⁶ Chapter 4488, s.1, Laws of Fla. (1895).

⁷ Chapter 4487, s.1, Laws of Fla. (1895). The name was changed to Confederate Memorial Day in 1941 when Memorial Day for veterans of all wars was added. Chapter 20525, s.1, Laws of Fla. (1941).

⁸ Chapter 5392, s.1, Laws of Fla. (1905).

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 683.01 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.