

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL DRS35173-LR-69

Short Title: Make Election Day a State Holiday. (Public)

Sponsors: Senators Batch, Garrett, and Grafstein (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE THE STATEWIDE GENERAL ELECTION DAY AN OFFICIAL STATE  
3 HOLIDAY AND TO AMEND THE STATE HUMAN RESOURCES ACT TO MAKE  
4 THAT DAY A PAID HOLIDAY FOR STATE EMPLOYEES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 103-4(a) reads as rewritten:

7 "(a) The following are declared to be legal public holidays:

8 ...

9 (16) Each statewide general election day."

10 SECTION 2. G.S. 126-4 reads as rewritten:

11 "§ 126-4. Powers and duties of State Human Resources Commission.

12 Subject to the approval of the Governor, the State Human Resources Commission shall  
13 establish policies and rules governing each of the following:

14 ...

15 (5) Hours and days of work, holidays, vacation, sick leave, and other matters  
16 pertaining to the conditions of employment. The legal public holidays  
17 established by the Commission as paid holidays for State employees shall  
18 include Martin Luther King, Jr.'s ~~Birth~~day and ~~Veterans Day~~. Birthday,  
19 Veterans Day, and each statewide general election day. The Commission shall  
20 not provide for more than ~~12-13~~ paid holidays per year, with three paid  
21 holidays being given for Christmas.

22 (5a) In years in which New Year's Day falls on Saturday, the Commission may  
23 designate December 31 of the previous calendar year as the New Year's  
24 holiday, provided that the number of holidays for the previous calendar year  
25 does not exceed ~~12-13~~ and the number of holidays for the current year does  
26 not exceed ~~10-11~~. When New Year's Day falls on either Saturday or Sunday,  
27 the constituent institutions of The University of North Carolina that adopt  
28 alternative dates to recognize the legal public holidays set forth in subdivision  
29 (5) of this section and established by the Commission may designate, in  
30 accordance with the rules of the Commission and the requirements of this  
31 subdivision, December 31 of the previous calendar year as the New Year's  
32 holiday.

33 ...

34 The policies and rules of the Commission shall not limit the power of any elected or appointed  
35 department head, in the department head's discretion and upon the department head's



- 1 determination that it is in the best interest of the Department, to transfer, demote, or separate a  
2 State employee who is not a career State employee as defined by this Chapter."  
3           **SECTION 3.** This act is effective when it becomes law.