

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
May 26, 2022
S.B. 833
PRINCIPAL CLERK

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SENATE BILL DRS15403-LRa-138B

Short Title: Make Election Day A State Holiday/Funds. (Public)

Sponsors: Senators Nickel, Garrett, and J. Jackson (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, TO AMEND THE STATE HUMAN RESOURCES ACT TO MAKE THAT
4 DAY A PAID HOLIDAY FOR STATE EMPLOYEES, AND TO APPROPRIATE FUNDS
5 FOR THAT PURPOSE.

6 The General Assembly of North Carolina enacts:

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

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

9 ...

10 (16) Each statewide general election day."

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

12 "**§ 126-4. Powers and duties of State Human Resources Commission.**

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

15 ...

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

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

34 ...

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



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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.** Effective July 1, 2022, there is appropriated from the General Fund to
4 the Office of State Human Resources the sum of fifty thousand dollars (\$50,000) for the
5 2022-2023 fiscal year to implement the provisions of this act.

6 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
7 law.