

ASSEMBLY BILL

No. 2017

Introduced by Assembly Member Haney
(Principal coauthor: Senator Wahab)

February 17, 2026

An act to amend Section 135 of the Code of Civil Procedure, to amend Sections 37220.7, 45203, 48205, 79020, and 88203 of the Education Code, and to amend Sections 6700, 19853, and 19853.1 of the Government Code, relating to state holidays.

LEGISLATIVE COUNSEL’S DIGEST

AB 2017, as introduced, Haney. State holidays: Eid.

Existing law designates specific days as holidays in this state. Existing law adopts state holidays as judicial holidays, with certain exceptions, including Admission Day and Columbus Day. Existing law designates holidays on which community colleges and public schools are authorized to close pursuant to a memorandum of understanding between the governing board and represented employees, including “Native American Day” on the 4th Friday in September.

This bill would add “Eid al-Fitr” and “Eid al-Adha” to the list of state holidays. The bill would exclude “Eid al-Fitr” and “Eid al-Adha” from designation as judicial holidays. The bill would authorize community colleges and public schools to close on “Eid al-Fitr” and “Eid al-Adha,” as specified.

Existing law, notwithstanding the requirement that each person between 6 and 18 years of age who is not otherwise exempted is subject to compulsory full-time education, requires a pupil to be excused from school for specified types of absences, including, among others, an absence for justifiable personal reasons including, but not limited to,

observance of a holiday or ceremony of the pupil's religion, if the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative, as specified.

This bill would add an absence for purposes of observing "Eid al-Fitr" or "Eid al-Adha" to the list of required excused absences. To the extent the bill would impose additional duties on school officials, the bill would impose a state-mandated local program.

Existing law entitles state employees, with specified exceptions, to be given time off with pay for specified holidays. Existing law, in addition, authorizes state employees to elect to use 8 hours of vacation, annual leave, compensating time off, or personal holiday credit corresponding with specified dates.

This bill would, similarly, authorize state employees to elect to use 8 hours of vacation, annual leave, compensating time off, or personal holiday credit corresponding with "Eid al-Fitr" or "Eid al-Adha," as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 135 of the Code of Civil Procedure is
2 amended to read:
3 135. Every full day designated as a holiday by Section 6700
4 of the Government Code, including that Thursday of November
5 declared by the President to be Thanksgiving Day, is a judicial
6 holiday, except the date corresponding with the second new moon
7 following the winter solstice, or the third new moon following the
8 winter solstice should an intercalary month intervene, known as
9 "Lunar New Year," *the first day of the month of Shawwal in the*
10 *Islamic lunar calendar, known as "Eid al-Fitr," the 15th day of*
11 the month of Kartik in the Hindu lunar calendar of each year,
12 known as "Diwali," April 24, known as "Genocide Remembrance

Day,” *the 10th day of the month of Dhu al-Hijjah in the Islamic lunar calendar, known as “Eid al-Adha,”* September 9, known as “Admission Day,” the second Monday in October, known as “Columbus Day,” and any other day appointed by the President, but not by the Governor, for a public fast, thanksgiving, or holiday. If a judicial holiday falls on a Saturday or a Sunday, the Judicial Council may designate an alternative day for observance of the holiday. Every Saturday and the day after Thanksgiving Day are judicial holidays. Officers and employees of the courts shall observe only the judicial holidays established pursuant to this section.

SEC. 2. Section 37220.7 of the Education Code is amended to read:

37220.7. (a) In addition to the holidays prescribed in Section 37220, public schools may be closed on *the first day of the month of Shawwal in the Islamic lunar calendar, known as “Eid al-Fitr,”* April 24, known as “Genocide Remembrance Day,” the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as “Diwali,” *the 10th day of the month of Dhu al-Hijjah in the Islamic lunar calendar, known as “Eid al-Adha,”* and the fourth Friday in September, known as “Native American Day,” if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close schools for that purpose.

(b) On the fourth Friday in September, or if schools are closed on that date as specified in subdivision (a), on an alternate day determined by the governing board, public schools and educational institutions throughout this state may include exercises, funded through existing resources, commemorating and directing attention to the many contributions that Native Americans have made to this country. The State Board of Education may adopt a model curriculum guide to be available for use by public schools for exercises related to Native American Day.

(c) On April 24, or if schools are closed on that date as specified in subdivision (a), on an alternate day determined by the governing board, public schools and educational institutions throughout this state may include exercises, funded through existing resources, remembering and honoring the many contributions that survivors of genocide have made to this country. The State Board of

1 Education may adopt a model curriculum guide to be available for
2 use by public schools for exercises related to Genocide
3 Remembrance Day.

4 (d) On the 15th day of the month of Kartik in the Hindu lunar
5 calendar of each year, or if schools are closed on that date as
6 specified in subdivision (a), on an alternate day determined by the
7 governing board, public schools and educational institutions
8 throughout this state may include exercises, funded through
9 existing resources, acknowledging and celebrating the meaning
10 and importance of Diwali. The State Board of Education may adopt
11 a model curriculum guide to be available for use by public schools
12 for exercises related to Diwali.

13 (e) *On the first day of the month of Shawwal and the 10th day*
14 *of the month of Dhu al-Hijjah in the Islamic lunar calendar, known*
15 *as “Eid al-Fitr” and “Eid al-Adha” respectively, or if schools are*
16 *closed on those dates as specified in subdivision (a), on alternate*
17 *dates determined by the governing board, public schools and*
18 *educational institutions throughout this state may include exercises,*
19 *funded through existing resources, acknowledging and celebrating*
20 *the meaning and importance of Eid al-Fitr and Eid al-Adha. The*
21 *State Board of Education may adopt a model curriculum guide to*
22 *be available for use by public schools for exercises related to Eid*
23 *al-Fitr and Eid al-Adha.*

24 SEC. 3. Section 45203 of the Education Code is amended to
25 read:

26 45203. All probationary or permanent employees that are a
27 part of the classified service shall be entitled to the following paid
28 holidays provided they are in a paid status during any portion of
29 the working day immediately preceding or succeeding the holiday:
30 January 1, February 12 known as “Lincoln Day,” the third Monday
31 in February known as “Washington Day,” the last Monday in May
32 known as “Memorial Day,” July 4, the first Monday in September
33 known as “Labor Day,” November 11 known as “Veterans Day,”
34 that Thursday in November proclaimed by the President as
35 “Thanksgiving Day,” December 25, every day appointed by the
36 President, or the Governor of this state, as provided for in
37 paragraphs (11) and (12) of subdivision (a) of Section 37220 for
38 a public fast, thanksgiving, or holiday, or any day declared a
39 holiday under Section 1318 or 37222 for classified or certificated
40 employees. School recesses during the Christmas, Easter, and

1 mid-February periods shall not be considered holidays for classified
2 employees who are normally required to work during that period.
3 However, this shall not be construed as affecting vacation rights
4 specified in this section. For purposes of this section, “appointed
5 by the President” includes the President signing into law legislation
6 that creates a nationwide federal holiday, including the legal public
7 holidays listed in subsection (a) of Section 6103 of Title 5 of the
8 United States Code, but does not include Columbus Day. This
9 definition is declaratory of existing law.

10 Regular employees of the district who are not normally assigned
11 to duty during the school holidays of December 25 and January 1
12 shall be paid for those two holidays provided that they were in a
13 paid status during any portion of the working day of their normal
14 assignment immediately preceding or succeeding the holiday
15 period.

16 When a holiday listed in this section falls on a Sunday, the
17 following Monday shall be deemed to be the holiday in lieu of the
18 day observed. When a holiday listed in this section falls on a
19 Saturday, the preceding Friday shall be deemed to be the holiday
20 in lieu of the day observed. When a classified employee is required
21 to work on any of these holidays, they shall be paid compensation,
22 or given compensating time off, for such work, in addition to the
23 regular pay received for the holiday, at the rate of time and one-half
24 the employee’s regular rate of pay.

25 The provisions of Article 3 (commencing with Section 37220)
26 of Chapter 2 of Part 22 shall not be construed to in any way limit
27 the provisions of this section, nor shall anything in this section be
28 construed to prohibit the governing board from adopting separate
29 work schedules for the certificated and the classified services, or
30 from providing holiday pay for employees who have not been in
31 paid status on the days specified herein. Notwithstanding the
32 adoption of separate work schedules for the certificated and the
33 classified services, on any schoolday during which pupils would
34 otherwise have been in attendance but are not and for which
35 certificated personnel receive regular pay, classified personnel
36 shall also receive regular pay whether or not they are required to
37 report for duty that day.

38 In addition to the other paid holidays specified in this section,
39 the classified service may be entitled to a paid holiday on *the first*
40 *day of the month of Shawwal in the Islamic lunar calendar, known*

1 as “*Eid al-Fitr*,” a paid holiday on March 31 known as “Cesar
2 Chavez Day,” a paid holiday on April 24 known as “Genocide
3 Remembrance Day,” a paid holiday on the 15th day of the month
4 of Kartik in the Hindu lunar calendar of each year, known as
5 “*Diwali*,” a paid holiday on the 10th day of the month of *Dhu*
6 *al-Hijjah* in the Islamic lunar calendar, known as “*Eid al-Adha*,”
7 and a paid holiday on the fourth Friday in September known as
8 “Native American Day,” provided they are in a paid status during
9 any portion of the working day immediately preceding or
10 succeeding the holiday, if the governing board, pursuant to a
11 memorandum of understanding reached pursuant to Chapter 10.7
12 (commencing with Section 3540) of Division 4 of Title 1 of the
13 Government Code, agrees to the paid holiday.

14 This section shall apply to districts that have adopted the merit
15 system in the same manner and effect as if it were a part of Article
16 6 (commencing with Section 45240).

17 SEC. 4. Section 48205 of the Education Code is amended to
18 read:

19 48205. (a) Notwithstanding Section 48200, a pupil shall be
20 excused from school when the absence is:

21 (1) Due to the pupil’s illness, including an absence for the
22 benefit of the pupil’s mental or behavioral health.

23 (2) Due to quarantine under the direction of a county or city
24 health officer.

25 (3) For purposes of having medical, dental, optometrical, or
26 chiropractic services rendered.

27 (4) For purposes of attending the funeral services or grieving
28 the death of either a member of the pupil’s immediate family, or
29 of a person that is determined by the pupil’s parent or guardian to
30 be in such close association with the pupil as to be considered the
31 pupil’s immediate family, so long as the absence is not more than
32 five days per incident.

33 (5) For purposes of jury duty in the manner provided for by law.

34 (6) Due to the illness or medical appointment during school
35 hours of a child of whom the pupil is the custodial parent, including
36 absences to care for a sick child, for which the school shall not
37 require a note from a doctor.

38 (7) For justifiable personal reasons, including, but not limited
39 to, an attendance or appearance in court, attendance at a funeral
40 service, observance of a holiday or ceremony of the pupil’s

1 religion, attendance at a religious retreat, attendance at an
2 employment conference, or attendance at an educational conference
3 on the legislative or judicial process offered by a nonprofit
4 organization, when the pupil's absence is requested in writing by
5 the parent or guardian and approved by the principal or a designated
6 representative pursuant to uniform standards established by the
7 governing board of the school district.

8 *(8) For purposes of observing the first day of the month of*
9 *Shawwal in the Islamic lunar calendar, known as "Eid al-Fitr,"*
10 *or the 10th day of the month of Dhu al-Hijjah in the Islamic lunar*
11 *calendar, known as "Eid al-Adha."*

12 ~~(8)~~

13 (9) For purposes of serving as a member of a precinct board for
14 an election pursuant to Section 12302 of the Elections Code.

15 ~~(9)~~

16 (10) For purposes of spending time with a member of the pupil's
17 immediate family who is an active duty member of the uniformed
18 services, as defined in Section 49701, and has been called to duty
19 for, is on leave from, or has immediately returned from,
20 deployment. Absences granted pursuant to this paragraph shall be
21 granted for a period of time to be determined at the discretion of
22 the superintendent of the school district.

23 ~~(10)~~

24 (11) For purposes of attending the pupil's naturalization
25 ceremony to become a United States citizen.

26 ~~(11)~~

27 (12) For purposes of participating in a cultural ceremony or
28 event.

29 ~~(12)~~

30 (13) (A) For purposes of a middle school or high school pupil
31 engaging in a civic or political event, as provided in subparagraph
32 (B), provided that the pupil notifies the school ahead of the
33 absence.

34 (B) (i) A middle school or high school pupil who is absent
35 pursuant to subparagraph (A) is required to be excused for only
36 one schoolday-long absence per school year.

37 (ii) A middle school or high school pupil who is absent pursuant
38 to subparagraph (A) may be permitted additional excused absences
39 in the discretion of a school administrator, as described in
40 subdivision (c) of Section 48260.

1 ~~(13)~~

2 (14) (A) For any of the purposes described in clauses (i) to (iii),
3 inclusive, if an immediate family member of the pupil, or a person
4 that is determined by the pupil's parent or guardian to be in such
5 close association with the pupil as to be considered the pupil's
6 immediate family, has died, so long as the absence is not more
7 than three days per incident.

8 (i) To access services from a victim services organization or
9 agency.

10 (ii) To access grief support services.

11 (iii) To participate in safety planning or to take other actions to
12 increase the safety of the pupil or an immediate family member
13 of the pupil, or a person that is determined by the pupil's parent
14 or guardian to be in such close association with the pupil as to be
15 considered the pupil's immediate family, including, but not limited
16 to, temporary or permanent relocation.

17 (B) Any absences beyond three days for the reasons described
18 in subparagraph (A) shall be subject to the discretion of the school
19 administrator, or their designee, pursuant to Section 48260.

20 ~~(14)~~

21 (15) Due to the pupil's participation in military entrance
22 processing.

23 ~~(15)~~

24 (16) Authorized at the discretion of a school administrator, as
25 described in subdivision (c) of Section 48260.

26 (b) A pupil absent from school pursuant to this section shall be
27 allowed to complete all assignments and tests missed during the
28 absence that can be reasonably provided and, upon satisfactory
29 completion within a reasonable period of time, shall be given full
30 credit for those assignments and tests. The teacher of the class
31 from which a pupil is absent shall determine which tests and
32 assignments shall be reasonably equivalent to, but not necessarily
33 identical to, the tests and assignments that the pupil missed during
34 the absence.

35 (c) For purposes of this section, attendance at religious retreats
36 shall not exceed one schoolday per semester.

37 (d) Absences pursuant to this section are deemed to be absences
38 in computing average daily attendance and shall not generate state
39 apportionment payments.

40 (e) For purposes of this section, the following definitions apply:

1 (1) A “civic or political event” includes, but is not limited to,
2 voting, poll working, strikes, public commenting, candidate
3 speeches, political or civic forums, and town halls.

4 (2) “Cultural” means relating to the practices, habits, beliefs,
5 and traditions of a certain group of people.

6 (3) “Immediate family” means the parent or guardian, brother
7 or sister, grandparent, or any other relative living in the household
8 of the pupil.

9 (4) “Victim services organization or agency” has the same
10 meaning as defined in subdivision (j) of Section 12945.8 of the
11 Government Code.

12 SEC. 5. Section 79020 of the Education Code is amended to
13 read:

14 79020. Except as otherwise provided, the community colleges
15 shall continue in session or close on specified holidays as follows:

16 (a) The community colleges shall close on January 1, the third
17 Monday in January, commencing in the 1989–90 fiscal year, known
18 as “Dr. Martin Luther King, Jr. Day,” February 12 known as
19 “Lincoln Day,” the third Monday in February known as
20 “Washington Day,” the last Monday in May known as “Memorial
21 Day,” July 4, the first Monday in September known as “Labor
22 Day,” November 11 known as “Veterans Day,” that Thursday in
23 November proclaimed by the President as “Thanksgiving Day,”
24 and December 25.

25 (b) Any contractual provision between any community college
26 district and its employees in effect on the effective date of the act
27 that adds this subdivision shall prevail over any conflict regarding
28 Dr. Martin Luther King, Jr. Day until the termination date of the
29 contract or upon termination by mutual agreement of the parties,
30 whichever occurs first.

31 (c) The Governor in appointing any other day for a public fast,
32 thanksgiving, or holiday may provide whether the community
33 colleges shall close on the day. If the Governor does not provide
34 whether the community colleges shall close, they shall continue
35 in session on all special or limited holidays appointed by the
36 Governor, but shall close on all other days appointed by the
37 Governor for a public fast, thanksgiving, or holiday.

38 (d) (1) The community colleges shall close on every day
39 appointed by the President as a public fast, thanksgiving, or
40 holiday, unless it is a special or limited holiday.

(2) For purposes of this subdivision, “appointed by the President” includes the President signing into law legislation that creates a nationwide federal holiday, including the legal public holidays listed in subsection (a) of Section 6103 of Title 5 of the United States Code, but does not include Columbus Day. This definition is declaratory of existing law.

(e) The community colleges shall continue in session on all legal holidays other than those designated by or pursuant to this section, and shall hold proper exercises commemorating the day.

(f) When any of the holidays on which the schools would be closed fall on Sunday, the community colleges shall close on the Monday following, except that (1) if Lincoln Day falls on a Sunday, the community colleges may observe this holiday on the preceding or following Friday, the following Monday, or the following Tuesday, and maintain classes on the date specified in subdivision (a) where applicable, or (2) if Lincoln Day falls on a Monday, the community colleges may observe this holiday on the preceding or following Friday, that Monday, or the following Tuesday, and maintain classes on the date specified in subdivision (a) where applicable.

(g) When any of the holidays on which the schools would be closed, except Lincoln Day, fall on Saturday, the community colleges shall close on the preceding Friday, and that Friday shall be declared a state holiday.

(h) If any holiday on which the community colleges are required to close pursuant to subdivision (a) occurs under federal law on a date different than the date specified in subdivision (a), the governing board of any community college district may close the community colleges of the district on the date recognized by federal law and maintain classes on the date specified in subdivision (a).

(i) When Veterans Day would fall on Tuesday, the governing board of a community college district may close the colleges on the preceding Monday, and maintain classes on the date specified in subdivision (a). When Veterans Day would fall on Wednesday, the governing board of a community college district may close the colleges on either the preceding Monday or the following Friday, and maintain classes on the date specified in subdivision (a). When Veterans Day would fall on Thursday, the governing board of a community college district may close the colleges on the following

Friday, and maintain classes on the date specified in subdivision (a).

(j) When Lincoln Day would fall on Tuesday, the governing board of a community college district may close the colleges on the preceding Monday, the preceding Friday, or the following Friday, and maintain classes on the date specified in subdivision (a) where appropriate. When Lincoln Day would fall on Wednesday, the governing board of a community college district may close the colleges on the preceding Monday, the preceding Friday, or the following Friday, and maintain classes on the date specified in subdivision (a). When Lincoln Day would fall on Thursday, the governing board of a community college district may close the colleges on the preceding Friday or the following Friday, and maintain classes on the date specified in subdivision (a). When Lincoln Day falls on Saturday, the governing board of a community college district may close the colleges on the preceding Friday or the following Friday, and maintain classes on the date specified in subdivision (a) where appropriate.

(k) In addition to the holidays specified in subdivision (a), a community college may close on March 31, known as “Cesar Chavez Day,” if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close the community college for that purpose.

(l) In addition to the holidays specified in subdivision (a), a community college may close on *the first day of the month of Shawwal in the Islamic lunar calendar, known as “Eid al-Fitr,”* April 24, known as “Genocide Remembrance Day,” the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as “Diwali,” *the 10th day of the month of Dhu al-Hijjah in the Islamic lunar calendar, known as “Eid al-Adha,”* and the fourth Friday in September, known as “Native American Day,” if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, agrees to close the community college for that purpose.

(m) In addition to the holidays specified in subdivision (a), Glendale Community College may close on April 24, known as “Genocide Remembrance Day,” if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter

1 10.7 (commencing with Section 3540) of Division 4 of Title 1 of
2 the Government Code, agrees to close the community college for
3 that purpose.

4 (n) Notwithstanding subdivision (a), a community college may
5 replace closing on February 12, Lincoln Day, or the third Monday
6 in February, Washington Day, with the date corresponding with
7 the second new moon following the winter solstice, or the third
8 new moon following the winter solstice should an intercalary
9 month intervene, known as “Lunar New Year,” if the governing
10 board of the community college district, pursuant to a memorandum
11 of understanding reached pursuant to Chapter 10.7 (commencing
12 with Section 3540) of Division 4 of Title 1 of the Government
13 Code, agrees to close the community college for that purpose.
14 When Lunar New Year falls on another holiday, the community
15 college shall observe Lunar New Year on a preceding or following
16 weekday.

17 (o) This section shall not be interpreted as authorizing a
18 community college district governing board to maintain community
19 colleges in its district for a lesser number of days during the college
20 year than the minimum established by law.

21 SEC. 6. Section 88203 of the Education Code is amended to
22 read:

23 88203. (a) (1) All probationary or permanent employees who
24 are part of the classified service shall be entitled to the following
25 paid holidays if they are in a paid status during any portion of the
26 working day immediately preceding or succeeding the holiday:

27 (A) January 1.

28 (B) February 12 known as “Lincoln Day.”

29 (C) The third Monday in February known as “Washington Day.”

30 (D) The last Monday in May known as “Memorial Day.”

31 (E) July 4.

32 (F) The first Monday in September known as “Labor Day.”

33 (G) November 11 known as “Veterans Day.”

34 (H) That Thursday in November proclaimed by the President
35 as “Thanksgiving Day.”

36 (I) December 25.

37 (J) Every day appointed by the President, or the Governor of
38 this state, as provided for in subdivisions (c) and (d) of Section
39 79020 for a public fast, thanksgiving, or holiday.

1 (K) Any day declared a holiday under Section 1318 for classified
2 or academic employees.

3 (2) College recesses during the Christmas and Easter periods
4 shall not be considered holidays for classified employees who are
5 normally required to work during that period; provided, however,
6 that this shall not be construed as affecting vacation rights specified
7 in this section.

8 (3) For purposes of this section, “appointed by the President”
9 includes the President signing into law legislation that creates a
10 nationwide federal holiday, including the legal public holidays
11 listed in subsection (a) of Section 6103 of Title 5 of the United
12 States Code, but does not include Columbus Day. This definition
13 is declaratory of existing law.

14 (b) Regular employees of the community college district who
15 are not normally assigned to duty during the community college
16 holidays of December 25 and January 1 shall be paid for those two
17 holidays if they were in a paid status during any portion of the
18 working day of their normal assignment immediately preceding
19 or succeeding the holiday period.

20 (c) When a holiday listed in this section falls on a Sunday, the
21 following Monday shall be deemed to be the holiday in lieu of the
22 day observed. When a holiday listed in this section falls on a
23 Saturday, the preceding Friday shall be deemed to be the holiday
24 in lieu of the day observed. When a classified employee is required
25 to work on any of the holidays listed in this section, they shall be
26 paid compensation, or given compensating time off, for such work,
27 in addition to the regular pay received for the holiday, at the rate
28 of time and one-half their regular rate of pay.

29 (d) Article 3 (commencing with Section 79020) of Chapter 8
30 of Part 48 shall not be construed to in any way limit this section,
31 nor shall anything in this section be construed to prohibit the
32 governing board of a community college district from adopting
33 separate work schedules for the academic and the classified
34 services, or from providing holiday pay for employees who have
35 not been in paid status on the days specified in this section.
36 Notwithstanding the adoption of separate work schedules for the
37 academic and the classified services, on any schoolday during
38 which students would otherwise have been in attendance, but are
39 not and for which faculty receive regular pay, classified personnel

1 shall also receive regular pay whether or not they are required to
2 report for duty that day.

3 (e) In addition to the other paid holidays specified in this section,
4 the classified service may be entitled to a paid holiday on *the first*
5 *day of the month of Shawwal in the Islamic lunar calendar, known*
6 *as “Eid al-Fitr,” a paid holiday on March 31 known as “Cesar*
7 *Chavez Day,” a paid holiday on April 24 known as “Genocide*
8 *Remembrance Day,” a paid holiday on the 15th day of the month*
9 *of Kartik in the Hindu lunar calendar of each year, known as*
10 *“Diwali,” a paid holiday on the 10th day of the month of Dhu*
11 *al-Hijjah in the Islamic lunar calendar, known as “Eid al-Adha,”*
12 and a paid holiday on the fourth Friday in September known as
13 “Native American Day,” if they are in a paid status during any
14 portion of the working day immediately preceding or succeeding
15 the holiday, if the governing board of the community college
16 district, pursuant to a memorandum of understanding reached
17 pursuant to Chapter 10.7 (commencing with Section 3540) of
18 Division 4 of Title 1 of the Government Code, agrees to the paid
19 holiday.

20 (f) In lieu of a paid holiday on February 12, Lincoln Day, or the
21 third Monday in February, Washington Day, as specified in this
22 section, the classified service shall be entitled to a paid holiday on
23 the date corresponding to the Lunar New Year holiday selected
24 pursuant to subdivision (n) of Section 79020, if they are in a paid
25 status during any portion of the working day immediately preceding
26 or succeeding the Lunar New Year holiday, if the governing board
27 of the community college district, pursuant to a memorandum of
28 understanding reached pursuant to Chapter 10.7 (commencing
29 with Section 3540) of Division 4 of Title 1 of the Government
30 Code, agrees to the replacement holiday pursuant to subdivision
31 (n) of Section 79020.

32 (g) This section shall apply to community college districts that
33 have adopted the merit system in the same manner and effect as
34 if it were a part of Article 3 (commencing with Section 88060).

35 SEC. 7. Section 6700 of the Government Code is amended to
36 read:

37 6700. (a) The holidays in this state are:

38 (1) Every Sunday.

39 (2) January 1.

1 (3) The third Monday in January, known as “Dr. Martin Luther
2 King, Jr. Day.”

3 (4) The date corresponding with the second new moon following
4 the winter solstice, or the third new moon following the winter
5 solstice should an intercalary month intervene, known as “Lunar
6 New Year.”

7 (5) February 12, known as “Lincoln Day.”

8 (6) The third Monday in February.

9 (7) *The first day of the month of Shawwal in the Islamic lunar*
10 *calendar, known as “Eid al-Fitr.”*

11 ~~(7)~~

12 (8) March 31, known as “Cesar Chavez Day.”

13 ~~(8)~~

14 (9) April 24, known as “Genocide Remembrance Day.”

15 ~~(9)~~

16 (10) The 15th day of the month of Kartik in the Hindu lunar
17 calendar of each year, known as “Diwali.”

18 (11) *The 10th day of the month of Dhu al-Hijjah in the Islamic*
19 *lunar calendar, known as “Eid al-Adha.”*

20 ~~(10)~~

21 (12) The last Monday in May.

22 ~~(11)~~

23 (13) June 19, known as “Juneteenth.”

24 ~~(12)~~

25 (14) July 4.

26 ~~(13)~~

27 (15) The first Monday in September.

28 ~~(14)~~

29 (16) September 9, known as “Admission Day.”

30 ~~(15)~~

31 (17) The fourth Friday in September, known as “Native
32 American Day.”

33 ~~(16)~~

34 (18) The second Monday in October, known as “Columbus
35 Day.”

36 ~~(17)~~

37 (19) November 11, known as “Veterans Day.”

38 ~~(18)~~

39 (20) December 25.

40 ~~(19)~~

1 (21) Good Friday from 12 noon until 3 p.m.

2 ~~(20)~~

3 (22) (A) Every day appointed by the President or Governor for
4 a public fast, thanksgiving, or holiday.

5 (B) Except for the Thursday in November appointed as
6 Thanksgiving Day, this paragraph and paragraphs (3), (4), and (7)
7 shall not apply to a city, county, or district unless made applicable
8 by charter, or by ordinance or resolution of the governing body
9 thereof.

10 (b) If this section is in conflict with the provisions of a
11 memorandum of understanding reached pursuant to Chapter 12
12 (commencing with Section 3560) of Division 4 of Title 1, the
13 memorandum of understanding shall be controlling without further
14 legislative action, except that if those provisions of a memorandum
15 of understanding require the expenditure of funds, the provisions
16 shall not become effective unless approved by the Legislature in
17 the annual Budget Act.

18 SEC. 8. Section 19853 of the Government Code is amended
19 to read:

20 19853. (a) All state employees shall be entitled to the following
21 holidays: January 1, the third Monday in January, the third Monday
22 in February, March 31, the last Monday in May, July 4, the first
23 Monday in September, November 11, Thanksgiving Day, the day
24 after Thanksgiving, December 25, the day chosen by an employee
25 pursuant to Section 19854, and every day appointed by the
26 Governor of this state for a public fast, thanksgiving, or holiday.

27 (b) If a day listed in this subdivision falls on a Sunday, the
28 following Monday shall be deemed to be the holiday in lieu of the
29 day observed. If November 11 falls upon a Saturday, the preceding
30 Friday shall be deemed to be the holiday in lieu of the day
31 observed.

32 (c) (1) Any state employee who may be required to work on
33 any of the holidays included in this section, and who does work
34 on any of these holidays, shall be entitled to receive straight-time
35 pay and eight hours of holiday credit.

36 (2) Notwithstanding paragraph (1), an employee who is excluded
37 from the definition of "state employee" in subdivision (c) of
38 Section 3513 and who is required to work on January 1, the last
39 Monday in May, July 4, the first Monday in September,

1 Thanksgiving Day, or December 25 shall be subject to the
2 following:

3 (A) Excluded employees who are eligible for overtime payments
4 under the federal Fair Labor Standards Act shall be paid one and
5 one-half times their salary rate for all hours worked on the holiday
6 and up to eight hours of holiday credit. This pay shall count toward
7 any premium overtime compensation earned during the same
8 workweek. Part-time employees shall receive prorated amounts
9 subject to department rules.

10 (B) Excluded employees who are ineligible for overtime
11 payments under the federal Fair Labor Standards Act shall receive
12 up to eight hours of holiday credit and four hours of informal time
13 off. Part-time employees shall receive prorated amounts of holiday
14 credit and informal time off, subject to department rules.

15 (d) For the purpose of computing the number of hours worked,
16 time when an employee is excused from work because of holidays,
17 sick leave, vacation, annual leave, compensating time off, or any
18 other leave shall not be considered as time worked by the employee
19 for the purpose of computing cash compensation for overtime or
20 compensating time off for overtime.

21 (e) (1) Any state employee, as defined in subdivision (c) of
22 Section 3513, may elect to receive eight hours of holiday credit
23 for the date corresponding with the new moon following the winter
24 solstice, or the third new moon following the winter solstice should
25 an intercalary month intervene, known as "Lunar New Year," *the*
26 *first day of the month of Shawwal in the Islamic lunar calendar,*
27 *known as "Eid al-Fitr,"* April 24, known as "Genocide
28 Remembrance Day," the 15th day of the month of Kartik in the
29 Hindu lunar calendar of each year, known as "Diwali," June 19,
30 known as "Juneteenth," *the 10th day of the month of Dhu al-Hijjah*
31 *in the Islamic lunar calendar, known as "Eid al-Adha,"* or the
32 fourth Friday in September, known as "Native American Day," in
33 lieu of receiving eight hours of personal holiday credit in
34 accordance with Section 19854.

35 (2) *Any state employee, as defined in subdivision (c) of Section*
36 *3513, may instead make the election described in paragraph (1)*
37 *for the holidays of Eid al-Fitr and Eid al-Adha on the dates that*
38 *their religious group designates for those holidays.*

1 (f) Persons employed on less than a full-time basis shall receive
2 holidays in accordance with the Department of Human Resources
3 rules.

4 (g) If subdivision (a), (c), or (d) is in conflict with the provisions
5 of a memorandum of understanding executed or amended pursuant
6 to Section 3517.5 on or after February 1, 2009, or the date that the
7 act adding this section takes effect, whichever is later, the
8 memorandum of understanding shall be controlling without further
9 legislative action, except that if those provisions of the
10 memorandum of understanding require the expenditure of funds,
11 the provisions shall not become effective unless approved by the
12 Legislature in the annual Budget Act.

13 SEC. 9. Section 19853.1 of the Government Code is amended
14 to read:

15 19853.1. (a) Notwithstanding Section 19853, this section shall
16 apply to state employees in State Bargaining Unit 5.

17 (b) Except as provided in subdivision (c), all employees shall
18 be entitled to the following holidays: January 1, the third Monday
19 in January, the third Monday in February, March 31, the last
20 Monday in May, July 4, the first Monday in September, November
21 11, the day after Thanksgiving, December 25, and every day
22 appointed by the Governor of this state for a public fast,
23 thanksgiving, or holiday.

24 If a day listed in this subdivision falls on a Sunday, the following
25 Monday shall be deemed to be the holiday in lieu of the day
26 observed. If November 11 falls upon a Saturday, the preceding
27 Friday shall be deemed to be the holiday in lieu of the day
28 observed. Any employee who may be required to work on any of
29 the holidays included in this section and who does work on any
30 of these holidays shall be entitled to be paid compensation or given
31 compensating time off for that work in accordance with their
32 classification's assigned workweek group.

33 (c) If the provisions of subdivision (b) are in conflict with the
34 provisions of a memorandum of understanding reached pursuant
35 to Section 3517.5, the memorandum of understanding shall be
36 controlling without further legislative action, except that if the
37 provisions of a memorandum of understanding require the
38 expenditure of funds, the provisions shall not become effective
39 unless approved by the Legislature in the annual Budget Act.

(d) Any employee who either is excluded from the definition of state employee in subdivision (c) of Section 3513, or is a nonelected officer or employee of the executive branch of government who is not a member of the civil service, is entitled to the following holidays, with pay, in addition to any official state holiday appointed by the Governor:

(1) January 1, the third Monday in January, the third Monday in February, March 31, the last Monday in May, July 4, the first Monday in September, November 11, Thanksgiving Day, the day after Thanksgiving, and December 25.

(2) When November 11 falls on a Saturday, employees shall be entitled to the preceding Friday as a holiday with pay.

(3) When a holiday, other than a personal holiday, falls on a Saturday, an employee shall, regardless of whether the employee works on the holiday, accrue only an additional eight hours of personal holiday credit per fiscal year for the holiday. The holiday credit shall be accrued on the actual date of the holiday and shall be used within the same fiscal year.

(4) When a holiday other than a personal holiday falls on Sunday, employees shall be entitled to the following Monday as a holiday with pay.

(5) Employees who are required to work on a holiday shall be entitled to pay or compensating time off for this work in accordance with their classification's assigned workweek group.

(6) Persons employed on less than a full-time basis shall receive holidays in accordance with the Department of Human Resources rules.

(e) (1) Any employee, as defined in subdivision (c) of Section 3513, may elect to use eight hours of vacation, annual leave, or compensating time off consistent with departmental operational needs and collective bargaining agreements for the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, known as "Lunar New Year," *the first day of the month of Shawwal in the Islamic lunar calendar, known as "Eid al-Fitr,"* April 24, known as "Genocide Remembrance Day," the 15th day of the month of Kartik in the Hindu lunar calendar of each year, known as "Diwali," June 19, known as "Juneteenth," *the 10th day of the month of Dhu al-Hijjah*

1 *in the Islamic lunar calendar, known as “Eid al-Adha,” and the*
2 *fourth Friday in September, known as “Native American Day.”*

3 *(2) Any employee, as defined in subdivision (c) of Section 3513,*
4 *may instead make the election described in paragraph (1),*
5 *consistent with departmental operational needs and collective*
6 *bargaining agreements, for the holidays of Eid al-Fitr and Eid*
7 *al-Adha on the dates that their religious group designates for those*
8 *holidays.*

9 (f) This section shall become effective with regard to the March
10 31 holiday only when the Department of Human Resources notifies
11 the Legislature that the language contained in this section has been
12 agreed to by all exclusive representatives, and the Department of
13 Human Resources authorizes this holiday to be applied to
14 employees designated as excluded from the Ralph C. Dills Act
15 (Chapter 10.3 (commencing with Section 3512), Division 4, Title
16 1), and the necessary statutes are amended to reflect this change.

17 SEC. 10. If the Commission on State Mandates determines
18 that this act contains costs mandated by the state, reimbursement
19 to local agencies and school districts for those costs shall be made
20 pursuant to Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of the Government Code.