

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 09-0175.02 Ed DeCecco

HOUSE BILL 09-1045

HOUSE SPONSORSHIP

Casso,

SENATE SPONSORSHIP

Gibbs,

House Committees
State, Veterans, & Military Affairs

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING RECOGNITION OF SEPTEMBER 11 AS AN OPTIONAL STATE**
102 **HOLIDAY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Recognizes the eleventh day in September (September 11) as an optional state holiday. Permits a state agency to allow an employee to substitute September 11 for another legal holiday, but requires the state agency to remain open on September 11. Specifies that the total number of holidays in a state fiscal year is not changed by the act.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and determines that:

4 (a) On September 11, 2001, terrorists hijacked four commercial
5 airplanes in order to cause harm and destruction to the United States of
6 America;

7 (b) On September 11, 2001, at 8:46 a.m. local time, terrorists
8 crashed American Airlines Flight 11 into the North Tower of the World
9 Trade Center in New York City; at 9:03 a.m., terrorists crashed United
10 Airlines Flight 175 into the South Tower of the World Trade Center in
11 New York City; at 9:37 a.m., terrorists crashed American Airlines Flight
12 77 into the Pentagon near Washington, D.C.; and, at 10:03 a.m., United
13 Airlines Flight 93 crashed in southwestern Pennsylvania after a struggle
14 by passengers to regain control of the airplane from terrorists; and

15 (c) Following the attacks of September 11, 2001, Americans
16 displayed bravery, honor, and compassion by uniting to sacrifice for and
17 give generously to those in need.

18 (2) The general assembly hereby declares that in honor of those
19 who innocently lost their lives, in honor of those who sacrificed their
20 lives to help others, and in recognition of its status as a pivotal day in our
21 nation's history, September 11, commonly called Patriot Day, should be
22 recognized as an optional state holiday in the state of Colorado.

23 **SECTION 2.** Article 11 of title 24, Colorado Revised Statutes, is
24 amended BY THE ADDITION OF A NEW SECTION to read:

25 **24-11-113. Patriot Day - optional state holiday.** (1) THE
26 ELEVENTH DAY OF SEPTEMBER IN EACH YEAR, THE SAME BEING THE
27 ANNIVERSARY OF THE TERRORIST ATTACKS ON THE UNITED STATES THAT

1 OCCURRED ON SEPTEMBER 11, 2001, SHALL BE KNOWN AS "PATRIOT DAY"
2 AND APPROPRIATE OBSERVANCE MAY BE HELD BY THE PUBLIC AND IN ALL
3 PUBLIC SCHOOLS OF THE STATE IN HONOR OF THOSE WHO INNOCENTLY
4 LOST THEIR LIVES AND THOSE WHO BRAVELY SACRIFICED THEIR LIVES TO
5 HELP OTHERS AND IN RECOGNITION OF THE DAY'S IMPORTANCE IN THE
6 HISTORY OF THE UNITED STATES.

7 (2) THE HEAD OF A STATE AGENCY MAY ALLOW AN EMPLOYEE OF
8 THE AGENCY TO HAVE A DAY OFF WITH PAY ON PATRIOT DAY IN LIEU OF
9 ANY OTHER LEGAL HOLIDAY DESCRIBED IN SECTION 24-11-101 (1) THAT
10 OCCURS IN THE SAME STATE FISCAL YEAR ON A WEEKDAY, OTHER THAN A
11 WEEKDAY ON WHICH AN ELECTION IS HELD THROUGHOUT THE STATE, ON
12 WHICH THE AGENCY IS REQUIRED TO BE OPEN BUT ON WHICH THE
13 OPERATIONS OF THE AGENCY ARE REQUIRED TO BE MAINTAINED AT ONLY
14 A MINIMUM LEVEL.

15 (3) ON PATRIOT DAY, EACH STATE AGENCY SHALL REMAIN OPEN
16 AND CONDUCT THE OPERATIONS OF THE AGENCY AT NO LESS THAN A
17 MINIMUM LEVEL.

18 (4) A HOLIDAY ALLOWED UNDER THIS SECTION IS IN LIEU OF A
19 LEGAL HOLIDAY DESCRIBED IN SECTION 24-11-101 (1). THE TOTAL
20 NUMBER OF LEGAL HOLIDAYS IN A STATE FISCAL YEAR AVAILABLE TO AN
21 EMPLOYEE OF A STATE AGENCY IS NOT CHANGED BY THIS SECTION.

22 **SECTION 3. Act subject to petition - effective date.** This act
23 shall take effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly that is
25 allowed for submitting a referendum petition pursuant to article V,
26 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
27 sine die is on May 6, 2009); except that, if a referendum petition is filed

1 against this act or an item, section, or part of this act within such period,
2 then the act, item, section, or part, if approved by the people, shall take
3 effect on the date of the official declaration of the vote thereon by
4 proclamation of the governor.