

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1655 (Jones-Sawyer, et al.) – As Introduced January 14, 2022

SUBJECT: State holidays: Juneteenth.

SUMMARY: Adds June 19, known as “Juneteenth,” to the list of state holidays; requires all public schools, the California Community Colleges (CCC) and California State University (CSU), and requests the University of California (UC) to close on June 19; and, requires that state employees, with specified exceptions, be given time off with pay on June 19. Specifically, **this bill:**

- 1) Provides that June 19, known as “Juneteenth” is a state holiday. Makes corresponding changes within certain exceptions, to the paid holidays to which state employees are entitled.
- 2) Requires all public schools, all CCC and CSU campuses, and requests all UC campuses, to observe June 19, known as “Juneteenth.” as a holiday, and requires every campus (and request every UC campus), to be closed on that day.
- 3) Designates June 19, known as “Juneteenth” as an optional bank holiday.
- 4) Makes corresponding, conforming, and technical changes to existing law.

EXISTING LAW:

- 1) Requires CCC to provide at least 175 days of instruction (California Code of Regulations, Title 5, Section 55701).
- 2) Requires CCC to continue in session or close on specified holidays:
 - a) January 1st;
 - b) The third Monday in January for Dr. Martin Luther King, Jr. Day;
 - c) February 12th for Lincoln Day;
 - d) The third Monday in February for Washington Day;
 - e) The last Monday in May for Memorial Day;
 - f) July 4th;
 - g) The first Monday in September for Labor Day;
 - h) November 11th for Veterans Day;
 - i) The Thursday in November proclaimed by the President as Thanksgiving Day;

- j) December 25; and,
 - k) Authorizes Glendale Community College to close on April 24 to observe Armenian Genocide Remembrance Day (Education Code (EC) Section 79020).
- 3) Establishes the holidays of the state. These holidays are: every Sunday; January 1st, Dr. Martin Luther King, Jr. Day, Lincoln Day, the third Monday in February, Cesar Chavez Day, the last Monday in May, July 4th, the first Monday in September, Admission Day (September 9th), Native American Day (the fourth Friday in September), Columbus Day (the second Monday in October), Veterans Day, December 25th, Good Friday (from 12 noon until 3 p.m.), and every day appointed by the President or Governor as a public fast, thanksgiving, or holiday.

However, Dr. Martin Luther King, Jr. Day and César Chávez Day, respectively, do not apply to cities, counties, or districts unless they are made applicable by charter, ordinance, or resolution of the respective local governing body.

In addition, deference is afforded to a memorandum of understanding (MOU) where the provisions of law may, in this regard, be in conflict, except where the MOU requires the expenditure of funds and affirmative legislative action in the annual Budget Act (Government Code (GOV) Section 6700).

- 4) Establishes the observance of the state's holidays, as specified, occur when that holiday falls on Saturdays or Sundays (GOV Section 6701).
- 5) Sets forth the state holidays, in addition to those officially appointed as a state holiday by the Governor, for state employees, excluded state employees, or nonelected officers or employees of the executive branch who are not a member of the civil service, and who are entitled to compensating time off. These holidays are 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 and the day after, December 25, and any personal holiday (GOV Section 19853).
- 6) Excepts the third Monday of January, known as "Dr. Martin Luther King, Jr. Day," and March 31st, known as "César Chávez Day" as holidays from applying to a city, county, or district unless made applicable by charter, ordinance, or resolution of the respective governing body thereof (GOV Section 6700 (a)(16)(A) and (B)).
- 7) Provides, as applied to specified state employees, excluded employees, or those who are nonelected officers or employees of the executive branch, the following holidays with compensated time off: 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, the day after Thanksgiving, December 25, and every day appointed by the Governor as a public fast, thanksgiving, or holiday (GOV Section 19853.1).

FISCAL EFFECT: Unknown

COMMENTS: *Dual referral.* This bill passed out of the Assembly Committee on Governmental Organization (GO), with a vote of 19 – 0 on March 30, 2022. The GO Committee heard this measure as it pertained to matters that were germane to the GO jurisdiction.

Background. On June 19, 1865, about two months after the Confederate general Robert E. Lee surrendered at Appomattox Court House, Virginia, Gordon Granger, a Union General, arrived in Galveston, Texas, to inform enslaved Blacks of their freedom and that the Civil War had ended. General Granger’s announcement put into effect the Emancipation Proclamation, which had been issued more than two and a half years earlier on Jan. 1, 1863, by President Abraham Lincoln.

The holiday received its name by combining June and 19. The day is also sometimes called “Juneteenth Independence Day,” “Freedom Day” or “Emancipation Day.” The original celebration became an annual one, and has grown in popularity over the years with the addition of descendants, [according to Juneteenth.com](https://www.juneteenth.com), which tracks celebrations. The day was celebrated by praying and bringing families together. In some celebrations on this day, men and women who had been enslaved, and their descendants, made an annual pilgrimage back to Galveston. Celebrations reached new heights in 1872 when a group of Black ministers and businessmen in Houston purchased 10 acres of land and created [Emancipation Park](#). The space was intended to hold the city’s annual Juneteenth celebration. To this day, the Emancipation Park holds annual Juneteenth celebrations and many other events throughout each calendar year.

On June 17, 2021, President Joe Biden signed the Juneteenth National Independence Day Act into law, establishing June 19 as a federal holiday, making it the eleventh holiday recognized by the federal government. The federal law, however, does not ensure a paid day off or holiday credit for California State employees, such as school employees and employees at the UC, CSU, or CCC.

Need for the measure. According to the author, “Juneteenth was the first major step of many in the fight for freedom and equality for Black Americans. Today, June 19, is celebrated across the nation as a day of hope and understanding of America’s troubled past. Juneteenth not only celebrates the ending of slavery, but also serves as an annual reminder that we can only overcome our history if we make a conscious effort to learn about it.”

Further, the author states, “Most importantly, this day reminds the nation that the struggle for true equality and justice for Black Americans is ongoing. Juneteenth is a vital point in American history and must be given its just respect and reverence as a day of reflection and learning about Black American history.”

Additionally, the author states that, “By making Juneteenth a state paid holiday, California will join states like Texas, New York, Virginia, Washington, and Illinois in recognizing Juneteenth as a paid holiday for state employees.”

Lastly, the author states that, “This bill would also make Juneteenth the first paid holiday in California since the establishment of César Chávez Day in 2000. Significantly, making Juneteenth a state paid holiday will cement a vital moment in this nation’s history and serve as an equally vital lesson, that the pursuit of justice must be tempered with full knowledge of prior injustices.”

This measure amends relevant sections of the Civil Code, Education Code, and Government Code to establish Juneteenth as the 12th California state holiday. The Juneteenth State Holiday Act would require the closure of California Public Schools, the CCC, and CSU, while requesting the closure of the UC, and providing the option for banks to close on June 19. Additionally, this measure ensures a paid day off or holiday credit for California State employees.

Impact on the segments. Committee Staff understands that the observance of Juneteenth may have an impact on how the summer session schedules are planned.

CCC: According to the CCC Chancellor's Office, the CCC should not have to add another instructional day during their summer sessions. Mandating the observance of the holiday will not change attendance accounting or scheduling because during the summer, the CCC does not have weekly consensus courses. Therefore, campuses of the CCC would observe Juneteenth as they would any other holiday.

Committee Staff notes that many CCCs have already added Juneteenth as an observed holiday.

CSU: According to the CSU Chancellor's Office, summer session is not like fall and spring semesters – they do not count days, but are concerned with instructional hours. For example, a 3-unit summer class must meet for 45 hours. During the regular academic year, this would be over the semester (16 weeks), but in the summer it might be just 3, 6 or 8 weeks. CSU campuses would just work around the Juneteenth holiday, similar to the way they do for July 4.

The impact falls with planning the academic calendar for the summer term, but it would not interfere with summer course instruction.

UC: The UC President announced in June of 2021, that the UC would add Juneteenth to its calendar of holidays and “will celebrate the Juneteenth holiday according to the federal calendar.”

Under federal guidelines, the Juneteenth holiday is observed on the preceding Friday when it falls on a Saturday and the following Monday when it falls on a Sunday. UC President Drake specified that the UC would follow the federal guidance and observe Juneteenth on Monday, June 20, 2022.

However, a potential problem occurs when Juneteenth and the July 4th holiday are both observed on a Monday, as is the case in 2022: intensive Summer Session classes held by UC campuses on the quarter system could lose significant instructional contact hours unless there is some adjustment. Further, semester campuses face additional complications due to Memorial Day also being observed on a Monday. There may also be further challenges for classes that include in-person lab sections regardless of whether they are on the quarter or semester system.

Due to the fact that Juneteenth is a new holiday, having only been officially recognized as a federal and UC holiday since 2021, campuses did not have an opportunity to plan accordingly.

Committee Staff understands that presently, the UC calendar policy for common start dates across the campuses does not apply for summer sessions. Each UC campus has the flexibility to adjust its summer session calendar as long as the new calendar maintains the systemwide holiday schedule and complies with the other aspects of systemwide calendar policy, while giving campuses needed flexibility for summer calendars.

Related legislation. AB 1801 (Nazarian), which will be heard in this Committee today, adds April 24, known as “Armenian Genocide Awareness Day,” to the existing list of holidays; and requires the CCC, and CSU and all public schools, and requests the UC to close on April 24.

AB 1872 (Low) which is pending a hearing in the Assembly Committee on Appropriations, in part, makes the day of statewide general elections in even-numbered years a state holiday, and eliminates Washington Day (sometimes referred to as Presidents’ Day) as a holiday in those years.

AB 2596 (Low), which is pending a hearing in the Assembly Committee on Governmental Organization, repeals provisions requiring the Governor to annually proclaim the Lunar New Year, and instead recognizes the Lunar New Year as a state holiday. The bill would requires that state employees, with specified exceptions, be given time off with pay for the Lunar New Year.

Prior legislation. AB 53 (Low) of 2021, which was held on the Assembly Committee on Appropriations Suspense File, is virtually identical to AB 2596 (Low) of 2022, (as described above).

ACR 82 (Cooper), Resolution Chapter 95, Statutes of 2021, recognized June 19, 2021, as Juneteenth; and, urged the people of California to join in celebrating Juneteenth as a day to honor and reflect on the significant role that Black Americans have played in the history of the United States, and how they have enriched society through their steadfast commitment to promoting unity and equality.

AB 177 (Low) of 2019, which was held on the Assembly Committee on Appropriations Suspense File, is virtually identical to AB 2596 (Low) of 2022, (as described above).

AB 2165 (Low) of 2018 which was held on the Assembly Committee on Appropriations Suspense File, is virtually identical to AB 2596 (Low) of 2022, (as described above).

SCR 145 (Bradford), Resolution Chapter 112, Statutes of 2018, recognized June 19, 2018, as Juneteenth and urged the people of California to join in celebrating Juneteenth as a day to honor and reflect on the significant role that Black Americans have played in the history of the United States.

AB 674 (Low) of 2017, which was held on the Assembly Committee on Appropriations Suspense File, is virtually identical to AB 2596 (Low) of 2022, (as described above).

ACR 100 (Holden), Resolution Chapter 116, Statutes of 2017. Recognized June 19, 2017, as Juneteenth and urged the people of California to join in celebrating Juneteenth as a day to honor and reflect on the significant role that African Americans have played in the history of the United States.

SR 47 (Bradford) of 2017, which was adopted by the Senate on June 26, 2017, recognized June 19, 2017, as Juneteenth.

AB 2634 (Torrico) of 2007, which died in the Assembly Committee on Governmental Relations due to a lack of hearing, was similar in nature to AB 2596 (Low) of 2022, (as described above).

SCR 37 (Vincent), Resolution Chapter 88, Statutes of 2003, recognized June 19, 2003, as Juneteenth and urged the people of California to join in celebrating Juneteenth as a day to honor and reflect on the significant role that Black Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting brotherhood and equality.

SB 984 (Polanco), Chapter 213, Statutes of 2000, established César Chávez Day as a paid holiday for state employees each March 31.

REGISTERED SUPPORT / OPPOSITION:

Support

A New Way of Life Re-entry Project
All of Us or None Los Angeles
Alliance of Californians for Community Empowerment Action
American Federation of State, County and Municipal Employees, AFL-CIO
Aouon Orange County
Brotherhood Crusade
CA State NAACP
Cal State Student Association
California Alliance for Retired Americans
California Conference Board of The Amalgamated Transit Union
California Conference of Machinists
California Employment Lawyers Association
California Federation of Teachers , AFL-CIO
California Labor Federation, AFL-CIO
California Narcotic Officers' Association
California Nurses Association
California School Employees Association, AFL-CIO (Sponsor)
California State Council of Service Employees International Union
California State University Employees Union
California Teachers Association
California Teamsters Public Affairs Council
Californians United for A Responsible Budget
Dolores Huerta Foundation
Equal Rights Advocates
John Burton Advocates for Youth
Judicial Council of California
Khmer Girls in Action
Kipp Socal Public Schools
Los Angeles County Democratic Party
NextGen California
Pasadena Area Community College District
Rubicon Programs
Unite Here International Union, AFL-CIO
United Teachers Los Angeles
Utility Workers Union of America, AFL-CIO
Writers Guild of America West

1 Individual

Opposition

None on file.

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