



Senate

General Assembly

File No. 100

January Session, 2019

Substitute Senate Bill No. 479

Senate, March 21, 2019

The Committee on Government Administration and Elections reported through SEN. FLEXER of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT DESIGNATING ELECTION DAY AS A STATE HOLIDAY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1-4 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 In each year the first day of January (known as New Year's Day), the
4 fifteenth day of January of each year prior to 1986, and commencing on
5 the twentieth day of January in 1986, the first Monday occurring on or
6 after January fifteenth (known as Martin Luther King, Jr. Day), the
7 twelfth day of February (known as Lincoln Day), the third Monday in
8 February (known as Washington's Birthday), the last Monday in May
9 (known as Memorial Day or Decoration Day), the fourth day of July
10 (known as Independence Day), the first Monday in September (known
11 as Labor Day), the second Monday in October (known as Columbus
12 Day), the Tuesday after the first Monday in November (known as
13 Election Day), the eleventh day of November (known as Veterans'
14 Day) and the twenty-fifth day of December (known as Christmas) and

15 any day appointed or recommended by the Governor of this state or
 16 the President of the United States as a day of thanksgiving, fasting or
 17 religious observance, shall each be a legal holiday, except that
 18 whenever any of such days which are not designated to occur on
 19 Monday, occurs upon a Sunday, the Monday next following such day
 20 shall be a legal holiday and whenever any of such days occurs upon a
 21 Saturday, the Friday immediately preceding such day shall be a legal
 22 holiday. When any such holiday, except holidays in January and
 23 December, occurs on a school day, each local and regional board of
 24 education may close the public schools under its jurisdiction for such
 25 day or hold a session of the public schools on such day, provided, if a
 26 session is held, the board shall require each school to hold a suitable
 27 nonsectarian educational program in observance of such holiday. If a
 28 holiday in January or December occurs on a school day, there shall be
 29 no session of the public schools on such day.

| | | |
|---|-----------------|-----|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2019 | 1-4 |

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 20 \$ | FY 21 \$ |
|------------------------|----------------|-------------------------------------|-------------------------------------|
| Various State Agencies | Various - Cost | \$1.8 million - \$2.3 million | \$1.8 million - \$2.3 million |

Note: Various=Various

Municipal Impact:

| Municipalities | Effect | FY 20 \$ | FY 21 \$ |
|--------------------|---|-----------------------|-----------------------|
| All Municipalities | STATE MANDATE ¹ - Cost | Less than \$50,000 | Less than \$50,000 |

Explanation

The bill designates Election Day as a legal state holiday. It is assumed that Election Day will be considered a non-premium state holiday.² Columbus Day was used as a model to estimate the cost of establishing a new non-premium state holiday. The time and labor and payroll databases in CORE-CT³ were utilized to compile these estimates.

In analyzing CORE-CT payroll and time earned data on Columbus Day, essential state employees who worked on Columbus Day in 2018

¹ State mandate is defined in Sec. 2-32b(2) of the Connecticut General Statutes, "state mandate" means any state initiated constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

² Premium state holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

³ The CORE-CT time and labor database does not include the judicial or legislative branches.

accrued \$1.5 million in paid time off (to be used at a later date), and were compensated \$300,000 for working on Columbus Day. Certain collective bargaining agreements allow employees the option to accrue a compensatory day or earn compensation for working on a state holiday.

Based on the Columbus Day model, it is estimated that the Election Day holiday will cost the state \$1.8 million to \$2.3 million annually depending on how much overtime is utilized to cover the shifts for the essential employees who work Election Day.

It is estimated that the additional paid time off earned by the essential employees who worked on Election Day would be \$1.5 million. The additional cost results from replacing the worker when he/she takes a day off. This occurs primarily in the 24/7 operations of state government.

Some examples of those essential positions who would be working on Election Day are: Correction Officers, State Police, and health care workers. For example, the replacement cost of a State Police Trooper would be at least \$250/day or possibly higher if overtime was used to cover the employee's shift.

The bill results in a cost to municipalities due to increased overtime costs associated with an additional state holiday. These costs, estimated to be less than \$50,000 per municipality, will vary based on the size of the municipal workforce, and on the specific holiday pay structure of each municipality. As an illustration, it is estimated that an additional holiday would result in costs to the City of New Britain of approximately \$22,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Core-CT Financial Accounting System

OLR Bill Analysis**sSB 479*****AN ACT DESIGNATING ELECTION DAY AS A STATE HOLIDAY.*****SUMMARY**

This bill designates the Tuesday after the first Monday in November (known as Election Day) each year as a legal state holiday.

The State Personnel Act mandates that each full-time permanent state employee receives paid time off for legal holidays (CGS § 5-254). To the extent it is considered a change in working conditions, an additional paid day off may have to be negotiated with public employee collective bargaining units.

By law, legal state holidays are also bank and credit union holidays, during which time, bank and credit union transactions are generally suspended (CGS § 36a-23).

The decision to close public schools on Election Day (many of which are used as polling places) is made by each local school district. By law, each local and regional board of education that remains open on a legal state holiday must hold a suitable educational program in observance of the holiday.

EFFECTIVE DATE: October 1, 2019

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 12 Nay 3 (03/06/2019)