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**SUBSTITUTE HOUSE BILL 1516**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** House State Government & Tribal Relations (originally sponsored by Representatives Thai, Caldier, Entenman, Harris, Farivar, Ryu, Goodman, Reed, Fey, Steele, Ormsby, Ortiz-Self, Hansen, Springer, Bronoske, Slatter, Walen, Wylie, Fitzgibbon, Sandlin, Lekanoff, Senn, Fosse, Doglio, Taylor, Kloba, Peterson, Cortes, Street, Simmons, Ramel, Duerr, Gregerson, Schmidt, Reeves, Pollet, Macri, Riccelli, Morgan, and Bergquist)

READ FIRST TIME 02/17/23.

1 AN ACT Relating to lunar new year; and amending RCW 1.16.050.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 1.16.050 and 2021 c 295 s 2 are each amended to read  
4 as follows:

5 (1) The following are state legal holidays:

6 (a) Sunday;

7 (b) The first day of January, commonly called New Year's Day;

8 (c) The third Monday of January, celebrated as the anniversary of  
9 the birth of Martin Luther King, Jr.;

10 (d) The third Monday of February, to be known as Presidents' Day  
11 and celebrated as the anniversary of the births of Abraham Lincoln  
12 and George Washington;

13 (e) The day of lunar new year, which is the date corresponding  
14 with the second new moon following the winter solstice, or the third  
15 new moon following the winter solstice should an intercalary month  
16 intervene;

17 (f) The last Monday of May, commonly known as Memorial Day;

18 ((+f)) (g) The nineteenth day of June, recognized as Juneteenth,  
19 a day of remembrance for the day the African slaves learned of their  
20 freedom;

1       ~~((g))~~ (h) The fourth day of July, the anniversary of the  
2 Declaration of Independence;

3       ~~((h))~~ (i) The first Monday in September, to be known as Labor  
4 Day;

5       ~~((i))~~ (j) The eleventh day of November, to be known as  
6 Veterans' Day;

7       ~~((j))~~ (k) The fourth Thursday in November, to be known as  
8 Thanksgiving Day;

9       ~~((k))~~ (l) The Friday immediately following the fourth Thursday  
10 in November, to be known as Native American Heritage Day; and

11       ~~((l))~~ (m) The twenty-fifth day of December, commonly called  
12 Christmas Day.

13       (2) Employees of the state and its political subdivisions, except  
14 employees of school districts and except those nonclassified  
15 employees of institutions of higher education who hold appointments  
16 or are employed under contracts to perform services for periods of  
17 less than twelve consecutive months, are entitled to one paid holiday  
18 per calendar year in addition to those specified in this section.  
19 Each employee of the state or its political subdivisions may select  
20 the day on which the employee desires to take the additional holiday  
21 provided for in this section after consultation with the employer  
22 pursuant to guidelines to be promulgated by rule of the appropriate  
23 personnel authority, or in the case of local government by ordinance  
24 or resolution of the legislative authority.

25       (3) Employees of the state and its political subdivisions,  
26 including employees of school districts and those nonclassified  
27 employees of institutions of higher education who hold appointments  
28 or are employed under contracts to perform services for periods of  
29 less than twelve consecutive months, are entitled to two unpaid  
30 holidays per calendar year for a reason of faith or conscience or an  
31 organized activity conducted under the auspices of a religious  
32 denomination, church, or religious organization. This includes  
33 employees of public institutions of higher education, including  
34 community colleges, technical colleges, and workforce training  
35 programs. The employee may select the days on which the employee  
36 desires to take the two unpaid holidays after consultation with the  
37 employer pursuant to guidelines to be promulgated by rule of the  
38 appropriate personnel authority, or in the case of local government  
39 by ordinance or resolution of the legislative authority. If an  
40 employee prefers to take the two unpaid holidays on specific days for

1 a reason of faith or conscience, or an organized activity conducted  
2 under the auspices of a religious denomination, church, or religious  
3 organization, the employer must allow the employee to do so unless  
4 the employee's absence would impose an undue hardship on the employer  
5 or the employee is necessary to maintain public safety. Undue  
6 hardship shall have the meaning established in rule by the office of  
7 financial management under RCW 43.41.109.

8 (4) If any of the state legal holidays specified in this section  
9 are also federal legal holidays but observed on different dates, only  
10 the state legal holidays are recognized as a paid legal holiday for  
11 employees of the state and its political subdivisions. However, for  
12 port districts and the law enforcement and public transit employees  
13 of municipal corporations, either the federal or the state legal  
14 holiday is recognized as a paid legal holiday, but in no case may  
15 both holidays be recognized as a paid legal holiday for employees.

16 (5) Whenever any state legal holiday:

17 (a) Other than Sunday, falls upon a Sunday, the following Monday  
18 is the legal holiday; or

19 (b) Falls upon a Saturday, the preceding Friday is the legal  
20 holiday.

21 (6) Nothing in this section may be construed to have the effect  
22 of adding or deleting the number of paid holidays provided for in an  
23 agreement between employees and employers of political subdivisions  
24 of the state or as established by ordinance or resolution of the  
25 local government legislative authority.

26 (7) The legislature declares that the following days are  
27 recognized as provided in this subsection, but may not be considered  
28 legal holidays for any purpose:

29 (a) The thirteenth day of January, recognized as Korean-American  
30 day;

31 (b) The twelfth day of October, recognized as Columbus day;

32 (c) The ninth day of April, recognized as former prisoner of war  
33 recognition day;

34 (d) The twenty-sixth day of January, recognized as Washington  
35 army and air national guard day;

36 (e) The seventh day of August, recognized as purple heart  
37 recipient recognition day;

38 (f) The second Sunday in October, recognized as Washington state  
39 children's day;

40 (g) The sixteenth day of April, recognized as Mother Joseph day;

- 1           (h) The fourth day of September, recognized as Marcus Whitman  
2 day;
- 3           (i) The seventh day of December, recognized as Pearl Harbor  
4 remembrance day;
- 5           (j) The twenty-seventh day of July, recognized as national Korean  
6 war veterans armistice day;
- 7           (k) The nineteenth day of February, recognized as civil liberties  
8 day of remembrance;
- 9           (l) The thirtieth day of March, recognized as welcome home  
10 Vietnam veterans day;
- 11          (m) The eleventh day of January, recognized as human trafficking  
12 awareness day;
- 13          (n) The thirty-first day of March, recognized as Cesar Chavez  
14 day;
- 15          (o) The tenth day of April, recognized as Dolores Huerta day;
- 16          (p) The fourth Saturday of September, recognized as public lands  
17 day; and
- 18          (q) The eighteenth day of December, recognized as blood donor  
19 day.

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