

ASSEMBLY, No. 4773

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 8, 2020

Sponsored by:

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

Assemblyman BRIAN BERGEN

District 25 (Morris and Somerset)

Co-Sponsored by:

Assemblyman Space and Assemblywoman DiMaso

SYNOPSIS

Removes Election Day as a State and public holiday.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning legal holidays and amending P.L.2008, c.89
2 and R.S.36:1-1.

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4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 25 of P.L.2008, c.89 (C.11A:6-24.1) is amended to
8 read as follows:

9 25. **[a.]** Paid holidays granted to all State government
10 employees each calendar year shall be limited to the following:

11 (1) January 1, known as New Year's Day;

12 (2) the third Monday in January, known as Martin Luther King's
13 Birthday;

14 (3) the third Monday in February, known as Washington's
15 Birthday, which shall be known and celebrated as Presidents Day in
16 this State;

17 (4) the day designated and known as Good Friday;

18 (5) the last Monday in May, known as Memorial Day;

19 (6) the third Friday in June, Juneteenth Day;

20 (7) July 4, known as Independence Day;

21 (8) the first Monday in September, known as Labor Day;

22 (9) the second Monday in October, known as Columbus Day;

23 (10) November 11, known as Armistice Day or Veterans' Day;

24 (11) the fourth Thursday in November, known as Thanksgiving
25 Day; and

26 (12) December 25, known as Christmas Day**];** and

27 (13) any general election day in this State.

28 b. The provisions of this section shall not impair any collective
29 bargaining agreement or contract in effect on the effective date of
30 P.L.2008, c.89. The provision of this section shall take effect in the
31 calendar year following the expiration of the collective bargaining
32 agreements or contracts covering a majority of the Executive
33 Branch employees in effect on the effective date of P.L.2008, c.89**].**
34 (cf: P.L.2020, c.76, s.1)

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36 2. R.S.36:1-1 is amended to read as follows:

37 36:1-1. a. The following days in each year shall, for all
38 purposes whatsoever as regards the presenting for payment or
39 acceptance, and of the protesting and giving notice of dishonor, of
40 bills of exchange, bank checks and promissory notes be treated and
41 considered as the first day of the week, commonly called Sunday,
42 and as public holidays, except as provided under subsection d. of
43 this section: January 1, known as New Year's Day; the third
44 Monday in January, known as Martin Luther King's Birthday;
45 February 12, known as Lincoln's Birthday; the third Monday in

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 February, known as Washington's Birthday; the day designated and
2 known as Good Friday; the last Monday in May, known as
3 Memorial Day; the third Friday in June, Juneteenth Day; July 4,
4 known as Independence Day; the first Monday in September,
5 known as Labor Day; the second Monday in October, known as
6 Columbus Day; November 11, known as Armistice Day or
7 Veterans' Day; the fourth Thursday in November, known as
8 Thanksgiving Day; December 25, known as Christmas Day; [any
9 general election day in this State;] every Saturday; and any day
10 heretofore or hereafter appointed, ordered or recommended by the
11 Governor of this State, or the President of the United States, as a
12 day of fasting and prayer, or other religious observance, or as a
13 bank holiday or holidays. All such bills, checks and notes,
14 otherwise presentable for acceptance or payment on any of the days
15 herein enumerated, shall be deemed to be payable and be
16 presentable for acceptance or payment on the secular or business
17 day next succeeding any such holiday.

18 b. Whenever any of the days herein enumerated can and shall
19 fall on a Sunday, the Monday next following shall, for any of the
20 purposes herein enumerated be deemed a public holiday, except as
21 provided under subsection d. of this section; and bills of exchange,
22 checks and promissory notes which otherwise would be presentable
23 for acceptance or payment on such Monday shall be deemed to be
24 presentable for acceptance or payment on the secular or business
25 day next succeeding such holiday.

26 c. In construing this section, every Saturday shall, until 12
27 o'clock noon, be deemed a secular or business day, except as is
28 hereinbefore provided in regard to bills of exchange, bank checks
29 and promissory notes, and the days herein enumerated except bank
30 holidays and Saturdays shall be considered as the first day of the
31 week, commonly called Sunday, and public holidays, for all
32 purposes whatsoever as regards the transaction of business in the
33 public offices of this State, or counties of this State, except as
34 provided under subsection d. of this section; but on all other days or
35 half days, except Sunday or as otherwise provided by law, such
36 offices shall be kept open for the transaction of business.

37 d. Notwithstanding the provisions of subsections a. through c.
38 of this section, when the provisions of this subsection take effect,
39 the following day each calendar year shall not be considered a
40 public holiday for the purposes of conducting State government
41 business:

42 February 12, known as Lincoln's Birthday.

43 All public offices of State government in this State shall be open
44 on this day for the transaction of business.

45 (cf: P.L.2020, c.76, s.2)

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47 3. This act shall take effect immediately.

STATEMENT

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This bill removes Election Day as a State and public holiday.

The designation of the third Friday in June each year as Juneteenth Day has added additional financial considerations. It is estimated that the additional holiday will add \$3 million dollars each year to the State’s costs for overtime costs in the Department of Corrections, Department of Human Services, Department of Military and Veterans’ Affairs, and the Juvenile Justice Commission. The additional holiday would also lead to an increase in costs for local and county governments. The increase in costs could potentially result in higher property taxes for the communities.

It is the sponsor’s belief that removing Election Day would save the State more money than the addition of Juneteenth Day would cost. Election Day, while a State and public holiday, still requires various State, county, and district employees to work to ensure a fair, accurate, and secure election. For example, municipal clerk offices are required to be open on Election Day from 6am to 8pm. In addition, the Superior Court assignment judge for each county is required to work during an election to ensure a fair process. Removing Election Day would also lead to savings for local and county governments.