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THIRD READING

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Bill No: AB 1801  
Author: Nazarian (D)  
Amended: 8/11/22 in Senate  
Vote: 21

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SENATE GOVERNMENTAL ORG. COMMITTEE: 14-0, 6/14/22  
AYES: Dodd, Nielsen, Allen, Becker, Borgeas, Bradford, Hertzberg, Hueso,  
Jones, Kamlager, Melendez, Portantino, Roth, Wilk  
NO VOTE RECORDED: Glazer

SENATE EDUCATION COMMITTEE: 6-0, 6/29/22  
AYES: Leyva, Ochoa Bogh, Cortese, Dahle, McGuire, Pan  
NO VOTE RECORDED: Glazer

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/11/22  
AYES: Portantino, Bates, Bradford, Jones, Laird, McGuire, Wieckowski

ASSEMBLY FLOOR: 75-0, 5/26/22 - See last page for vote

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**SUBJECT:** State holidays: Genocide Remembrance Day

**SOURCE:** Author

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**DIGEST:** This bill adds April 24, known as “Genocide Remembrance Day,” to the list of state holidays. Additionally, the bill authorizes state employees to elect to take time off with pay in recognition of “Genocide Remembrance Day,” as specified, and authorizes community colleges and public schools to close on April 24, known as “Genocide Remembrance Day, as specified.

**ANALYSIS:**

Existing law:

1) Recognizes various state holidays including:

- a) January 1<sup>st</sup> (New Year);
  - b) Third Monday in January (Dr. Martin Luther King, Jr. Day);
  - c) February 12<sup>th</sup> (Lincoln Day);
  - d) Third Monday in February (Washington Day);
  - e) March 31<sup>st</sup> (Cesar Chavez Day);
  - f) Last Monday in May (Memorial Day);
  - g) July 4<sup>th</sup>;
  - h) September 9 (Admission day);
  - i) Fourth Friday in September (Native American Day);
  - j) Second Monday in October (Columbus Day);
  - k) November 11<sup>th</sup> (Veterans Day);
  - l) December 25<sup>th</sup>;
  - m) Good Friday from 12 noon until 3 p.m.
- 2) Requires the Governor to proclaim the third Saturday in June of each year to be known as "Juneteenth National Freedom Day: A Day of Observance," and urge all Californians to honor and reflect on the significant roles African Americans have played in U.S. history.
- 3) Specifies that if the above holidays are in conflict with the provisions of a memorandum of understanding, the memorandum of understanding shall be controlling without further legislative action.
- 4) Specifies that the above holidays, except for "Cesar Chavez Day" and "Dr. Martin Luther King, Jr. Day," shall not apply to a city, county, or district unless made applicable by charter, or by ordinance or resolution of the governing body.
- 5) Authorizes a state employee, as defined, to elect to receive eight hours of holiday credit for the fourth Friday in September, known as "Native American Day," in lieu of receiving eight hours of personal holiday credit, as specified.
- 6) Authorizes an employee in State Bargaining Unit 5, to elect to use eight hours of vacation, annual leave, or compensating time off consistent with departmental operational needs and collective bargaining agreements for the fourth Friday in September, known as "Native American Day."
- 7) Designates holidays on which community colleges and public schools are authorized to close pursuant to a memorandum of understanding between the

governing board and represented employees, including “Native American Day” on the 4<sup>th</sup> Friday in September.

- 8) Adopts state holidays as judicial holidays, with certain exceptions, including Admission Day and Columbus Day.

This bill:

- 1) Adds April 24, known as “Genocide Remembrance Day,” to the list of state holidays.
- 2) Authorizes any state employee, as defined, to elect to receive eight hours of holiday credit for April 24, known as “Genocide Remembrance Day,” in lieu of receiving eight hours of personal holiday credit, as specified.
- 3) Authorizes a state employee, in State Bargaining Unit 5, to elect to use eight hours of vacation, annual leave, or compensating time off consistent with departmental operational needs and collective bargaining agreements for April 24, known as “Genocide Remembrance Day.”
- 4) Provides that public schools may be closed on April 24, known as “Genocide Remembrance Day,” if the governing board, pursuant to a memorandum of understanding, agrees to close school for that purpose. On April 24, or if schools are closed on that date, on an alternate day determined by the governing board, public schools and educational institutions may include exercises, funded through existing resources, remembering and honoring the many contributions that survivors of genocide have made to this country.
- 5) Authorizes the State Board of Education to adopt a model curriculum for exercises related to “Genocide Remembrance Day.”
- 6) Provides that classified service employees may be entitled to a paid holiday on April 24 known as “Genocide Remembrance Day,” provided they are in paid status during any portion of the working day immediately preceding or succeeding the holiday, if the governing board, pursuant to a memorandum of understanding, as specified, agrees to the paid holiday.
- 7) Authorizes a community college to close on April 24, known as “Genocide Remembrance Day,” if the governing board, pursuant to a memorandum of

understanding, as defined, agrees to close the community college for that purpose.

- 8) Provides that classified service employees may be entitled to a paid holiday on April 14 known as “Genocide Remembrance Day,” if they are in a paid status during any portion of the working day immediately preceding or succeeding the holiday, if the governing board, pursuant to a memorandum, as defined, agrees to the paid holiday.
- 9) Adds “Genocide Remembrance Day” to the list of holidays that are excluded from designation as a judicial holiday.
- 10) Makes corresponding, conforming, and technical changes.

## **Background**

*Purpose of the Bill.* According to the author’s office, “genocide has been an unfortunate reality since the dawn of humanity, being perpetrated on every continent by and against every race. The act of systematically erasing another group is born out of hate, prejudice, and a lack of empathy. We can only resolve these fundamental human flaws through recognition, understanding, and awareness. Reflecting on these common human flaws is the point of this bill. This bill requires that we take a day as a state to reflect on previous and current acts of genocide, and, through this reflection, we can help prevent further atrocities. Additionally, this gives many with generational trauma recognition of that trauma and an opportunity to heal. As a state that has provided refuge to countless groups that have suffered through the atrocity of genocide, California is uniquely suited to establish April 24<sup>th</sup> as Genocide Remembrance Day.”

According to the Jewish World Watch, “genocide commemoration is more than a history lesson. It is an opportunity to expand understanding of the consequences of dangerous speech and how othering can pervade societies. It is a powerful tool to engage people across generations in discussions about human rights, the dynamics of atrocity crimes, how to prevent them, provide necessary opportunities for healing. As a state, we pride ourselves on our values and willingness to lead by example and our history of providing refuge for groups escaping genocide. By establishing a state holiday that commemorates Genocides – both past and present – we are both giving space for groups to heal and sending a powerful signal.”

*Armenian Genocide.* According to information provided by the author, "the systematic killing of millions of Armenians for the end goal of ending the Armenian civilization is one of the great tragedies of history that created generational trauma that is felt today."

Overall, the Genocide occurred between 1915 and 1922. At the start of the Genocide, two million Armenians resided in the Ottoman Empire, but by the end of it, only 400,000 Armenians remained. The widespread denial of the Genocide enhances the trauma. The author states that, "to this day, the successor state of the Ottoman Empire, the Republic of Turkey, denies the Genocide took place. Many national governments also deny its occurrence out of geopolitical considerations – namely, the consequences it would have on bilateral relations with Turkey."

It was not until 2019, that the U. S. House of Representatives passed a resolution recognizing the Genocide, and in 2021, President Biden issued a statement that recognized it for the first time. However, only thirty-one countries worldwide recognize the Genocide - and, therefore, the trauma that Armenians feel today.

With 205,000, Armenian-Americans living in California, this State holds the largest population Armenian-Americans out of any state in the United States.

*Unpaid/Paid holidays.* California law does not require a private employer to provide its employees with paid holidays, that it closes its business on any holiday, or that employees be given the day off for any particular holiday. If an employer closes its business on holidays and gives its employees time off from work with pay, that occurred pursuant to a policy or practice adopted by the employer, pursuant to the terms of a collective bargaining agreement, or pursuant to the terms of an employment agreement between the employer and employee, as there is nothing in law that requires such a practice.

At the local level, cities have the liberty to specify by charter, ordinance or resolution what paid holidays the city will provide to its city employees. Similarly, most state workers are bound by the memorandum of understanding that they have negotiated with the Governor.

For all other state employees, they are entitled to the following holidays: 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, the day after Thanksgiving, December 25, a personal holiday after six months of work, and every day appointed by the Governor for a public fast, thanksgiving, or holiday.

This bill adds April 24, known as “Genocide Remembrance Day,” to the list of state holidays. Additionally, the bill authorizes state employees to elect to take time off with pay in recognition of “Genocide Remembrance Day,” as specified, and authorizes community colleges and public schools to close on April 24, known as “Genocide Remembrance Day, as specified.

### **Related/Prior Legislation**

AB 1655 (Jones-Sawyer, 2022) adds June 19, known as “Juneteenth,” to the list of state holidays and authorize state employees to elect to take time off with pay in recognition of Juneteenth, as specified. (Pending on the Senate Floor)

AB 1741 (Low, Chapter 41, Statutes of 2022) required the Governor to annually proclaim November 20 as “Transgender Day of Remembrance.”

AB 1872 (Low, 2022) makes the day of statewide general elections even-numbered years a state holiday, and eliminates Washington day as a holiday in those years. (Held in the Assembly Appropriations Suspense File)

AB 2596 (Low, 2022) repeals provisions requiring the Governor to annually proclaim the Lunar New year, and instead recognized the Lunar Year as a state holiday and authorizes state employees, with specified exceptions, to elect to receive eight hours of holiday credit for the Lunar New Year in lieu of receiving eight hours of personal holiday credit, as specified. (Pending on the Senate Floor)

SB 383 (Stone, 2017) would have required state employees be given time off with pay for the day after Thanksgiving, or for Yom Kippur, whichever the day is chosen by the employee and recognizes Yom Kippur as a state holiday. (Failed Passage in the Senate Governmental Organization Committee)

AB 674 (Low, 2017) would have made the first Tuesday after the first Monday in November of each year in which a statewide or national election is held as a state holiday. (Failed passage in the Assembly Appropriations Suspense File)

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, unknown potentially significant General Fund cost pressures, likely in the millions of dollars, to create another negotiable paid holiday for eligible state workers.

Unknown, potentially significant reimbursable mandate costs to the extent school districts need to adjust their calendars and summer work hours, resulting in local bargaining implications for their classified employees. This assumes school districts would need to adjust their school calendars and ensure minimum days of instruction. Staff notes that most school years conclude before June 19, however some schools go beyond June 19 for their regular school year. To address learning loss and other significant needs, these schools have increased summer programs. The associated costs are unknown.

**SUPPORT:** (Verified 8/11/22)

Armenian Assembly of America  
Armenian National Committee of Arizona  
Jewish World Watch  
One Individual

**OPPOSITION:** (Verified 8/11/22)

California Turkish Coalition

**ASSEMBLY FLOOR:** 75-0, 5/26/22

**AYES:** Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Cervantes, Chen, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wilson, Wood, Rendon

**NO VOTE RECORDED:** Berman, O'Donnell, Villapudua

Prepared by: Felipe Lopez / G.O. / (916) 651-1530  
8/15/22 13:22:11

\*\*\*\* END \*\*\*\*