

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0205.01 Megan Waples x4348

**HOUSE BILL 19-1056**

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**HOUSE SPONSORSHIP**

**Benavidez,**

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**Gonzales,**

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**House Committees**

State, Veterans, & Military Affairs  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ESTABLISHMENT OF ELECTION DAY AS A STATE**  
102 **LEGAL HOLIDAY IN PLACE OF COLUMBUS DAY.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill establishes election day as a state legal holiday in place of Columbus day. "Election day" is defined to fall on the day of a general election in even-numbered years and the day on which ballot issues must be decided under the state constitution in odd-numbered years.

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Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) Free and fair elections are a cornerstone of our nation's  
5 democracy;

6 (b) Fostering participation in elections creates a culture of civic  
7 engagement and responsibility and ensures the continued strength of our  
8 democratic process;

9 (c) The right to vote is one of the most precious and fundamental  
10 rights guaranteed to the citizens of our nation;

11 (d) Colorado has continuously endeavored to make voting easier  
12 and more accessible to all of its residents, but many individuals still do  
13 not have the opportunity to vote in each election;

14 (e) In addition to voting, participating in elections by acting as  
15 election judges or in other capacities are important opportunities for  
16 Coloradans to fulfill their civic responsibilities;

17 (f) State employees should have the opportunity to participate  
18 fully in elections, not only by casting their votes, but by acting as election  
19 judges and in such other capacities as may be available if they so desire;  
20 and

21 (g) Establishing election day as a state holiday will afford state  
22 employees the ability to fully participate in elections and continue to build  
23 Colorado's culture of civic engagement.

24 (2) The general assembly further finds and declares that:

25 (a) State holidays are intended to honor prominent figures in  
26 United States history and acknowledge other civic events and  
27 celebrations, and not to honor individual communities or heritages; and

1 (b) Replacing Columbus day as a state holiday does not take away  
2 from the recognition of the Italian-American community and its  
3 contributions to the state.

4 (3) Therefore, in order to preserve the number of state holidays  
5 while allowing full participation in elections, the general assembly hereby  
6 replaces Columbus day with election day as a legal state holiday.

7 **SECTION 2.** In Colorado Revised Statutes, 24-11-101, **amend**  
8 (1); and **add** (4) as follows:

9 **24-11-101. Legal holidays - effect - definition.** (1) The  
10 following days, viz: The first day of January, commonly called New  
11 Year's day; the third Monday in January, which shall be observed as the  
12 birthday of Dr. Martin Luther King, Jr.; the third Monday in February,  
13 commonly called Washington-Lincoln day; the last Monday in May,  
14 commonly called Memorial day; the fourth day of July, commonly called  
15 Independence day; the first Monday in September, commonly called  
16 Labor day; ~~the second Monday in October, commonly called Columbus~~  
17 ~~day~~ ELECTION DAY, AS DEFINED IN SUBSECTION (4) OF THIS SECTION; the  
18 eleventh day of November, commonly called Veterans' day; the fourth  
19 Thursday in November, commonly called Thanksgiving day; the  
20 twenty-fifth day of December, commonly called Christmas day; and any  
21 day appointed or recommended by the governor of this state or the  
22 president of the United States as a day of fasting or prayer or  
23 thanksgiving, are hereby declared to be legal holidays and shall, for all  
24 purposes whatsoever, as regards the presenting for payment or acceptance  
25 and the protesting and giving notice of the dishonor of bills of exchange,  
26 drafts, bank checks, promissory notes, or other negotiable instruments and  
27 also for the holding of courts, be treated and considered as is the first day

1 of the week commonly called Sunday.

2 (4) AS USED IN THIS SECTION, "ELECTION DAY" MEANS THE FIRST  
3 TUESDAY IN NOVEMBER IN ODD-NUMBERED YEARS OR THE TUESDAY  
4 SUCCEEDING THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED  
5 YEARS.

6 **SECTION 3.** In Colorado Revised Statutes, 5-1-301, **amend** (6)  
7 as follows:

8 **5-1-301. General definitions.** In addition to definitions appearing  
9 in subsequent articles, as used in this code, unless the context otherwise  
10 requires:

11 (6) "Business day" means any calendar day except Sunday, New  
12 Year's day, the third Monday in January observed as the birthday of Dr.  
13 Martin Luther King, Jr., Washington-Lincoln day, Memorial day,  
14 Independence day, Labor day, ~~Columbus day~~ ELECTION DAY AS DEFINED  
15 IN SECTION 24-11-101 (4), Veterans' day, Thanksgiving day, and  
16 Christmas day.

17 **SECTION 4.** In Colorado Revised Statutes, 6-1-102, **amend** (2.5)  
18 as follows:

19 **6-1-102. Definitions.** As used in this article 1, unless the context  
20 otherwise requires:

21 (2.5) "Business day" means any calendar day except Sunday, New  
22 Year's day, the third Monday in January observed as the birthday of Dr.  
23 Martin Luther King, Jr., Washington-Lincoln day, Memorial day,  
24 Independence day, Labor day, ~~Columbus day~~ ELECTION DAY AS DEFINED  
25 IN SECTION 24-11-101 (4), Veterans' day, Thanksgiving, and Christmas.

26 **SECTION 5. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August  
2 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
3 referendum petition is filed pursuant to section 1 (3) of article V of the  
4 state constitution against this act or an item, section, or part of this act  
5 within such period, then the act, item, section, or part will not take effect  
6 unless approved by the people at the general election to be held in  
7 November 2020 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.