

First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 17-0546.01 Kate Meyer x4348

HOUSE BILL 17-1327

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HOUSE SPONSORSHIP

Salazar, Benavidez

SENATE SPONSORSHIP

(None),

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House Committees

State, Veterans, & Military Affairs  
Local Government

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF COLUMBUS DAY AS A LEGAL HOLIDAY,  
102 AND, IN CONNECTION THEREWITH, GRANTING STATE EMPLOYEES  
103 A FLOATING HOLIDAY DAY OFF EACH OCTOBER.

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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>.)*

Currently, Columbus day is one of 10 legal holidays in Colorado. **Section 2** of the bill repeals Columbus day as a state legal holiday. Consequently, in order to maintain the number of days off enjoyed by state employees, **section 3** grants state employees an annual "floating" holiday, on a day in October of each employee's choice, in accordance

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

with rules promulgated by the department of personnel and subject to approval by each employee's supervisor.

**Section 1** contains a nonstatutory legislative declaration, and **sections 4 and 5** make conforming amendments.

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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, determines, and declares that:

4 (a) In 1492, Christopher Columbus was given authority by the  
5 King and Queen of Spain to sail to the Indies to investigate what  
6 Columbus described as the "proper method of converting [Indians]" to  
7 Christianity. Columbus was granted "sufficient armament" to certain  
8 regions of the Indies for such forced conversion.

9 (b) Columbus left Spain on May 12, 1492. He never arrived in the  
10 Indies, but came upon an island in the Caribbean, later called Hispaniola,  
11 on October 12, 1492, and met the Taino people.

12 (c) Columbus remarked in *Columbus' Journal of his First Voyage*  
13 that he could "conquer the whole of [the Taino people] with fifty men,  
14 and govern them as [he] pleased". Columbus' own journal demonstrates  
15 that his objective was to find gold and precious stones.

16 (d) Under color of authority of the Spanish crown, and using  
17 tactics garnered from his years of involvement in the West African slave  
18 trade, Columbus engaged in inhumane acts of slavery, sexual  
19 exploitation, murder, and torture, which resulted in the annihilation of the  
20 Taino people.

21 (e) Columbus' acts of inhumanity were documented by Bartolomé  
22 de las Casas, a Spanish priest, who wrote in his journal:

23 "And Spaniards have behaved in no other way during the

1 past forty years, down to the present time, for they are still  
2 acting like ravening beasts, killing, terrorizing, afflicting,  
3 torturing, and destroying the native peoples, doing all this  
4 with the strangest and most varied new methods of cruelty,  
5 never seen or heard of before, and to such a degree that this  
6 Island of Hispaniola once so populous (having a population  
7 that I estimated to be more than three million), has now a  
8 population of barely two hundred persons.

9 Their reason for killing and destroying such an  
10 infinite number of souls is that the Christians have an  
11 ultimate aim, which is to acquire gold, and to swell  
12 themselves with riches in a very brief time and thus rise to  
13 a high estate disproportionate to their merits. It should be  
14 kept in mind that their insatiable greed and ambition, the  
15 greatest ever seen in the world, is the cause of their  
16 villainies.

17 They attacked the towns and spared neither the  
18 children nor the aged nor pregnant women nor women in  
19 childbed, not only stabbing them and dismembering them  
20 but cutting them to pieces as if dealing with sheep in a  
21 slaughter house. They laid bets as to who, with one stroke  
22 of the sword, could split a man in two or could cut off his  
23 head or spill out his entrails with a single stroke of the  
24 pike".

25 (f) Columbus' cruelty was investigated and he was sent back to  
26 Spain in chains, but because of the enormous wealth realized through his  
27 exploits, the Spanish Crown freed Columbus, stripped of all his titles, and

1 allowed him to return to the Caribbean.

2 (g) The exploitation of the indigenous peoples of the Americas  
3 that was ushered in by the Spanish conquest was soon followed by other  
4 European nations. The Columbus voyage triggered one of history's  
5 greatest slave trades, the pillaging of Earth's natural resources, and a level  
6 of inhumanity toward indigenous peoples that still exists.

7 (h) Although the hardships and inequities suffered by indigenous  
8 peoples are often underreported in the popular media, Columbus' legacy  
9 of abuse and disrespect is still readily apparent today:

10 (I) American Indians and Alaska Natives suffer disproportionately  
11 high rates of poverty, suicide, and sexual violence, and are more likely to  
12 be killed by police than any other group, when compared to their  
13 percentage of the United States population;

14 (II) Chronic underfunding of the Indian Health Service and the  
15 Bureau of Indian Education means that American Indians and Alaska  
16 Natives often lack access to quality health care and schools; and

17 (III) The constant threats to indigenous peoples' lands for  
18 nonnative economic gain -- such as Congress' attempt to transfer the  
19 ancient Apache holy place of Oak Flat to a foreign mining company and  
20 the proposed location of the Dakota Access Pipeline, which project  
21 threatened not only the Standing Rock Sioux Tribe's drinking water but  
22 sites of great religious and cultural significance -- demonstrate the serious  
23 and ongoing jeopardy in which indigenous health, safety, heritage, and  
24 ways of life are jeopardized.

25 (i) Repealing Columbus day as a state holiday does not diminish  
26 the immeasurable contributions of the Italian-American and  
27 Spanish-American communities, which communities should be honored.

1 However, the State of Colorado will no longer honor Christopher  
2 Columbus because of his well-documented crimes against humanity.

3 (j) In ceasing to recognize Columbus day, the state of Colorado  
4 will join a number of other jurisdictions that do likewise, including:

5 (I) The states of Alaska, South Dakota, and Vermont;

6 (II) The United States cities of Seattle, Bellingham, Bainbridge,  
7 Yakima, and Olympia, Washington; Berkeley and San Fernando,  
8 California; St. Paul and Minneapolis, Minnesota; Grand Rapids, Alpena,  
9 and Traverse City, Michigan; Lewiston, New York; Lawrence, Kansas;  
10 Anadarko, Oklahoma; Anchorage, Alaska; Portland and Eugene, Oregon;  
11 Asheville and Carrboro, North Carolina; Albuquerque and Santa Fe, New  
12 Mexico; Belfast, Maine; Cambridge, Massachusetts; Phoenix, Arizona;  
13 and Harpers Ferry, West Virginia; and

14 (III) The Colorado cities of Durango, Boulder, and Denver.

15 (k) Therefore, in recognizing the atrocities perpetrated against  
16 indigenous peoples by Christopher Columbus and others, it is appropriate  
17 to repeal Columbus day as a state holiday.

18 (2) The general assembly further finds and declares that its intent,  
19 eliminating a state holiday honoring Columbus' ignominious legacy, is not  
20 to detrimentally affect state employees by reducing the total number of  
21 state holidays that they formerly enjoyed. Therefore, state employees are  
22 entitled to one floating holiday day off each year, to be selected by the  
23 employee, subject annually to approval by each employee's supervisor and  
24 in accordance with rules promulgated by the department of personnel.

25 **SECTION 2.** In Colorado Revised Statutes, 24-11-101, **amend**  
26 (1) as follows:

27 **24-11-101. Legal holidays - effect.** (1) The following days, viz:

1 The first day of January, commonly called New Year's day; the third  
2 Monday in January, which shall be observed as the birthday of Dr. Martin  
3 Luther King, Jr.; the third Monday in February, commonly called  
4 Washington-Lincoln day; the last Monday in May, commonly called  
5 Memorial day; the fourth day of July, commonly called Independence  
6 day; the first Monday in September, commonly called Labor day; ~~the~~  
7 ~~second Monday in October, commonly called Columbus day;~~ the eleventh  
8 day of November, commonly called Veterans' day; the fourth Thursday  
9 in November, commonly called Thanksgiving day; the twenty-fifth day  
10 of December, commonly called Christmas day; and any day appointed or  
11 recommended by the governor of this state or the president of the United  
12 States as a day of fasting or prayer or thanksgiving, are hereby declared  
13 to be legal holidays and shall, for all purposes whatsoever, as regards the  
14 presenting for payment or acceptance and the protesting and giving notice  
15 of the dishonor of bills of exchange, drafts, bank checks, promissory  
16 notes, or other negotiable instruments and also for the holding of courts,  
17 be treated and considered as is the first day of the week commonly called  
18 Sunday.

19 **SECTION 3.** In Colorado Revised Statutes, **add** 24-11-101.5 as  
20 follows:

21 **24-11-101.5. October floating holiday - rules.** (1) THE HEAD OF  
22 A STATE AGENCY SHALL ALLOW EACH EMPLOYEE OF THE AGENCY TO TAKE  
23 ONE DAY OFF EVERY OCTOBER, WITH PAY, ON A DAY SELECTED BY EACH  
24 EMPLOYEE AND APPROVED BY THE EMPLOYEE'S DIRECT SUPERVISOR. EACH  
25 FLOATING HOLIDAY MUST BE SELECTED AND GRANTED IN ACCORDANCE  
26 WITH ANY RULES PROMULGATED PURSUANT TO SUBSECTION (2) OF THIS  
27 SECTION AND MUST OCCUR ON A WEEKDAY IN THE MONTH OF OCTOBER ON

1 WHICH THE STATE AGENCY IS REQUIRED TO BE OPEN BUT THE OPERATIONS  
2 OF THE AGENCY ARE REQUIRED TO BE MAINTAINED AT ONLY A MINIMUM  
3 LEVEL.

4 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL  
5 MAY PROMULGATE RULES IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE  
6 24 TO IMPLEMENT THIS SECTION, INCLUDING RULES TO ENSURE THAT EACH  
7 STATE AGENCY MAINTAINS A MINIMUM LEVEL OF OPERATIONS AND  
8 EQUITABLY ASSESSES REQUESTS FOR FLOATING HOLIDAY DAYS OFF.

9 **SECTION 4.** In Colorado Revised Statutes, 5-1-301, **amend** (6)  
10 as follows:

11 **5-1-301. General definitions.** In addition to definitions appearing  
12 in subsequent articles, as used in this code, unless the context otherwise  
13 requires:

14 (6) "Business day" means any calendar day except Sunday, New  
15 Year's day, the third Monday in January observed as the birthday of Dr.  
16 Martin Luther King, Jr., Washington-Lincoln day, Memorial day,  
17 Independence day, Labor day, ~~Columbus day~~, Veterans' day,  
18 Thanksgiving day, and Christmas day.

19 **SECTION 5.** In Colorado Revised Statutes, 6-1-102, **amend** the  
20 introductory portion and (2.5) as follows:

21 **6-1-102. Definitions.** As used in this ~~article~~ ARTICLE 1, unless the  
22 context otherwise requires:

23 (2.5) "Business day" means any calendar day except Sunday, New  
24 Year's day, the third Monday in January observed as the birthday of Dr.  
25 Martin Luther King, Jr., Washington-Lincoln day, Memorial day,  
26 Independence day, Labor day, ~~Columbus day~~, Veterans' day,  
27 Thanksgiving, and Christmas.

1           **SECTION 6. Act subject to petition - effective date.** This act  
2 takes effect at 12:01 a.m. on the day following the expiration of the  
3 ninety-day period after final adjournment of the general assembly (August  
4 9, 2017, if adjournment sine die is on May 10, 2017); except that, if a  
5 referendum petition is filed pursuant to section 1 (3) of article V of the  
6 state constitution against this act or an item, section, or part of this act  
7 within such period, then the act, item, section, or part will not take effect  
8 unless approved by the people at the general election to be held in  
9 November 2018 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.