

By: Representatives Banks, Faulkner, Brown
(70th), Clark, Evans (91st), Gibbs, Harness,
Hines, Hulum, Johnson, Mickens, Porter,
Straughter, Thompson

To: Rules

HOUSE BILL NO. 492

1 AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO
2 DECLARE THE SECOND MONDAY IN OCTOBER TO BE INDIGENOUS NATIVE
3 AMERICAN DAY; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 3-3-7, Mississippi Code of 1972, is
6 amended as follows:

7 3-3-7. (1) Except as otherwise provided in subsection (2)
8 of this section, the following are declared to be legal
9 holidays * * *: the first day of January (New Year's Day); the
10 third Monday of January (Robert E. Lee's birthday and Dr. Martin
11 Luther King, Jr.'s birthday); the third Monday of February
12 (Washington's birthday); the last Monday of April (Confederate
13 Memorial Day); the last Monday of May (National Memorial Day and
14 Jefferson Davis' birthday); the fourth day of July (Independence
15 Day); the first Monday of September (Labor Day); the second Monday
16 in October (Indigenous Native American Day); the eleventh day of
17 November (Armistice or Veterans' Day); the day fixed by
18 proclamation by the Governor of Mississippi as a day of



19 Thanksgiving, which shall be fixed to correspond to the date
20 proclaimed by the President of the United States (Thanksgiving
21 Day); and the twenty-fifth day of December (Christmas Day). In
22 the event any holiday hereinbefore declared legal shall fall on
23 Sunday, then the next following day shall be a legal holiday.

24 (2) In lieu of any one (1) legal holiday provided for in
25 subsection (1) of this section, with the exception of the third
26 Monday in January (Robert E. Lee's and Martin Luther King, Jr.'s
27 birthday) and the eleventh day of November (Armistice or Veterans'
28 Day), the governing authorities of any municipality or county may
29 declare, by order spread upon its minutes, Mardi Gras Day or any
30 one (1) other day during the year, to be a legal holiday.

31 (3) August 16 is declared to be Elvis Aaron Presley Day in
32 recognition and appreciation of Elvis Aaron Presley's many
33 contributions, international recognition and the rich legacy left
34 to us by Elvis Aaron Presley. This day shall be a day of
35 recognition and observation and shall not be recognized as a legal
36 holiday.

37 (4) May 8 is declared to be Hernando de Soto Day in
38 recognition, observation and commemoration of Hernando de Soto,
39 who led the first and most imposing expedition ever made by
40 Europeans into the wilds of North America and the State of
41 Mississippi, and in further recognition of the Spanish explorer's
42 187-day journey from the Tombigbee River basin on our state's
43 eastern boundary, westward to the place of discovery of the



44 Mississippi River on May 8, 1541. This day shall be a day of
45 commemoration, recognition and observation of Hernando de Soto and
46 European exploration and shall not be recognized as a legal
47 holiday.

48 (5) Armistice Day (Veterans' Day) shall be observed by
49 appropriate exercises in all the public schools in the State of
50 Mississippi. The superintendent of schools of each public school
51 district is authorized to provide for the appearance of uniformed
52 military personnel, uniformed veterans or the families of fallen
53 military personnel/veterans at such public school exercises in
54 honor of Armistice (Veterans') Day. The superintendent of schools
55 is also authorized to permit the school band and its director(s)
56 at any public school in the district to perform at Armistice
57 (Veterans') Day exercises in the school district upon the request
58 of public officials or veterans associations without loss of any
59 program credit by participating students and without loss of leave
60 by participating school personnel.

61 **SECTION 2.** This act shall take effect and be in force from
62 and after July 1, 2023.

