

By: Representative Paden

To: Rules

HOUSE BILL NO. 123

1 AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT IF ANY LEGAL HOLIDAY FALLS ON A TUESDAY, THEN THE DAY  
3 BEFORE SUCH TUESDAY SHALL BE A LEGAL HOLIDAY; AND FOR RELATED  
4 PURPOSES.

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

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

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



20 United States (Thanksgiving Day); and the twenty-fifth day of  
21 December (Christmas Day). \* \* \* If any legal holiday \* \* \* falls  
22 on a Sunday, then the next following day shall be a legal  
23 holiday \* \* \*, and if any legal holiday falls on Tuesday, then the  
24 day before such Tuesday shall be a legal holiday.

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

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

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



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

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

62 **SECTION 2.** This act shall take effect and be in force from  
63 and after its passage.

