

1 AN ACT concerning State holidays.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Commemorative Dates Act is amended
5 by adding Section 115 as follows:

6 (5 ILCS 490/115 new)

7 Sec. 115. General Election Day.

8 (a) The date established by the Election Code as the
9 date of the general election is a legal holiday to be known
10 as General Election Day. No officer or employee of the State,
11 a unit of local government including a home rule unit, or a
12 school district may be required to work on General Election
13 Day, except those persons necessary for (i) the conduct of
14 the general election, (ii) law enforcement, (iii) fire
15 protection, and (iv) public health and safety. The courts of
16 this State shall designate General Election Day as a court
17 holiday.

18 (b) A home rule unit may not require its officers and
19 employees to work on General Election Day other than as
20 provided in this Section. This Section is a denial and
21 limitation of home rule powers and functions under subsection
22 (h) of Section 6 of Article VII of the Illinois Constitution.

23 Section 10. The Election Code is amended by changing
24 Sections 1-6 and 17-25 as follows:

25 (10 ILCS 5/1-6)

26 Sec. 1-6. Computing dates of various acts; Saturday,
27 Sunday, and holidays.

28 (a) If the first or last day fixed by law to do any act
29 required or allowed by this Code falls on a State holiday or

1 a Saturday or a Sunday, the period shall extend through the
 2 first business day next following the day otherwise fixed as
 3 the first or last day, irrespective of whether any election
 4 authority or local election official conducts business on the
 5 State holiday, Saturday, or Sunday.

6 (b) For the purposes of this Section, "State holiday"
 7 means New Year's Day, Dr. Martin Luther King, Jr.'s Birthday,
 8 Lincoln's Birthday, President's Day, Casimir Pulaski's
 9 Birthday, Good Friday, Memorial Day, Independence Day, Labor
 10 Day, Columbus Day, Veterans' Day, Thanksgiving Day, Christmas
 11 Day, and any other day from time to time declared by the
 12 President of the United States or the Governor of Illinois to
 13 be a day during which the agencies of the State of Illinois
 14 that are ordinarily open to do business with the public shall
 15 be closed for business. In this Section, however, "State
 16 holiday" does not include General Election Day.

17 (c) Notwithstanding any other provision of this Code,
 18 nominating papers, petitions of objection to nominating
 19 papers, certificates of withdrawal of candidacy, and reports
 20 of political committees actually received by election
 21 authorities and local election officials on a State holiday,
 22 a Saturday, or a Sunday shall not be deemed invalid or
 23 defective for that reason alone.

24 (Source: P.A. 89-653, eff. 8-14-96; 90-672, eff. 7-31-98.)

25 (10 ILCS 5/17-25) (from Ch. 46, par. 17-25)

26 Sec. 17-25. General Election Day holiday. As provided in
 27 the State Commemorative Dates Act, General Election Day The
 28 ~~days-upon-which-the-general--elections--for--members--of--the~~
 29 ~~House--of--Representatives--of--this-State-shall-hereafter-be~~
 30 held shall be a holiday holidays, and shall for all purposes
 31 whatever as regards the presenting for payment or acceptance
 32 and of protesting and giving notice of the dishonor of bills
 33 of exchange, bank checks and promissory notes and as regards

1 days of grace upon commercial paper, be treated and
2 considered as is the first day of the week, commonly called
3 Sunday; provided, that no other election day shall be treated
4 and considered as a holiday.

5 (Source: Laws 1943, vol. 2, p. 253.)

6 Section 15. The Civil Administrative Code of Illinois is
7 amended by changing Section 5-635 as follows:

8 (20 ILCS 5/5-635) (was 20 ILCS 5/18)

9 Sec. 5-635. Department office hours. Each department
10 shall be open for the transaction of public business at least
11 from 8:30 in the morning until 5:00 in the evening of each
12 day except Saturdays, Sundays, General Election Day as
13 provided in the State Commemorative Dates Act, and days that
14 may hereafter be declared by the Governor to be holidays for
15 State employees.

16 (Source: P.A. 91-239, eff. 1-1-00.)

17 Section 20. The Office of Banks and Real Estate Act is
18 amended by changing Section 3 as follows:

19 (20 ILCS 3205/3) (from Ch. 17, par. 453)

20 Sec. 3. Business hours. The Office of Banks and Real
21 Estate shall be open for transaction of public business from
22 8:30 a.m. to 5:00 p.m. or at such other hours as the Governor
23 may prescribe from time to time by executive order, on each
24 day except Saturdays, Sundays, General Election Day as
25 provided in the State Commemorative Dates Act, and days
26 declared by the Governor to be holidays for State employees.

27 (Source: P.A. 89-508, eff. 7-3-96.)

28 Section 25. The Counties Code is amended by changing
29 Section 3-2007 as follows:

1 (55 ILCS 5/3-2007) (from Ch. 34, par. 3-2007)

2 Sec. 3-2007. Office quarters and hours; violation. The
3 county clerk shall keep his office at the court house of his
4 county, or at such other place as may be provided for him by
5 the authorities of such county seat and shall keep his office
6 open and attend to the duties thereof:

7 (a) In counties of 500,000 or more population from 9 a.
8 m. to 5 p. m. of each working day except Saturday afternoons
9 and legal holidays, subject to Section 115 of the State
10 Commemorative Dates Act, but the clerk may open the office at
11 8 a. m. on each working day:

12 (b) In counties of less than 500,000 population from 8
13 a. m. to 5 p. m. of each working day except Saturdays and
14 legal holidays, subject to Section 115 of the State
15 Commemorative Dates Act, but in such counties the office
16 shall remain open until noon the Saturday before general,
17 primary or special election days.

18 Provided, that the days on which such office shall be
19 open and the hours of opening and closing of the office of
20 the county clerk may be changed and otherwise fixed and
21 determined by the county board of any county. Any such action
22 taken by the county board shall be by an appropriate
23 resolution passed at a regular meeting.

24 Notwithstanding any other provision of this Section, when
25 any election is held and the results of such election are
26 required by law to be returned to the county clerk, the
27 office of the county clerk shall remain open for the purpose
28 of receiving such results from the time of opening of the
29 polls until the returns from each precinct have been
30 received.

31 Any county clerk who fails to keep his office open for
32 the purpose of receiving election returns as required by this
33 Section commits a business offense, and shall be fined not
34 less than \$500 nor more than \$5,000.

1 (Source: P.A. 86-962.)

2 Section 30. The School Code is amended by changing
3 Section 24-2 as follows:

4 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

5 Sec. 24-2. Holidays. Teachers shall not be required to
6 teach on Saturdays; nor shall teachers or other school
7 employees, other than noncertified school employees whose
8 presence is necessary because of an emergency or for the
9 continued operation and maintenance of school facilities or
10 property, be required to work on legal school holidays, which
11 are January 1, New Year's Day; the third Monday in January,
12 the Birthday of Dr. Martin Luther King, Jr.; February 12, the
13 Birthday of President Abraham Lincoln; the first Monday in
14 March (to be known as Casimir Pulaski's birthday); Good
15 Friday; the day designated as Memorial Day by federal law;
16 July 4, Independence Day; the first Monday in September,
17 Labor Day; the second Monday in October, Columbus Day; the
18 date established by the Election Code as the date of the
19 general election, General Election Day; November 11,
20 Veteran's Day; the Thursday in November commonly called
21 Thanksgiving Day; and December 25, Christmas Day. School
22 boards may grant special holidays whenever in their judgment
23 such action is advisable, ~~except that no school board or~~
24 ~~board of education may designate or observe as a special~~
25 ~~holiday on which teachers or other school employees are not~~
26 ~~required to work the days on which general elections for~~
27 ~~members of the Illinois House of Representatives are held.~~ No
28 deduction shall be made from the time or compensation of a
29 school employee on account of any legal or special holiday.

30 Commemorative holidays, which recognize specified
31 patriotic, civic, cultural or historical persons, activities,
32 or events, are regular school days. Commemorative holidays

1 are: January 28 (to be known as Christa McAuliffe Day and
2 observed as a commemoration of space exploration), February
3 15 (the 37th day of Susan B. Anthony), March 29 (Vietnam War
4 Veterans Day), September 11 (September 11th Day of
5 Remembrance), the school day immediately preceding Veteran's
6 Day (Korean War Veterans Day), October 1 (Recycling Day),
7 December 7 (Pearl Harbor Veterans Day) and any day so
8 appointed by the President or Governor. School boards may
9 establish commemorative holidays whenever in their judgment
10 such action is advisable. School boards shall include
11 instruction relative to commemorated persons, activities, or
12 events on the commemorative holiday or at any other time
13 during the school year and at any point in the curriculum
14 when such instruction may be deemed appropriate. The State
15 Board of Education shall prepare and make available to school
16 boards instructional materials relative to commemorated
17 persons, activities, or events which may be used by school
18 boards in conjunction with any instruction provided pursuant
19 to this paragraph.

20 City of Chicago School District 299 shall observe March 4
21 of each year as a commemorative holiday. This holiday shall
22 be known as Mayors' Day which shall be a day to commemorate
23 and be reminded of the past Chief Executive Officers of the
24 City of Chicago, and in particular the late Mayor Richard J.
25 Daley and the late Mayor Harold Washington. If March 4 falls
26 on a Saturday or Sunday, Mayors' Day shall be observed on the
27 following Monday.

28 (Source: P.A. 92-704, eff. 7-19-02.)

29 Section 35. The State Universities Civil Service Act is
30 amended by changing Section 45a as follows:

31 (110 ILCS 70/45a) (from Ch. 24 1/2, par. 381.1)

32 Sec. 45a. Except as provided in the second sentence of

1 this Section, all officers and employees subject to this
2 Act, shall have the following days as holidays, for which
3 they shall receive their usual compensation: New Year's Day,
4 January 1, Memorial Day, as determined by the law of the
5 State of Illinois, Independence Day, July 4, Labor Day, the
6 first Monday in September, General Election Day as provided
7 in the State Commemorative Dates Act, Thanksgiving Day, the
8 fourth Thursday of November, Christmas Day, December 25, and
9 five holidays to be designated by each college, university,
10 agency and community college subject to this Act. Craft and
11 trade employees subject to this Act shall be paid for all
12 paid holidays included in their area agreement, and will be
13 paid for all five holidays designated by their employer
14 pursuant to this section.

15 (Source: P.A. 79-1186.)

16 Section 40. The Promissory Note and Bank Holiday Act is
17 amended by changing Section 17 as follows:

18 (205 ILCS 630/17) (from Ch. 17, par. 2201)

19 Sec. 17. Holidays.

20 (a) The following days shall be legal holidays in the
21 State of Illinois upon which day a bank may, but is not
22 required to, remain closed:

23 the first day of January (New Year's Day);

24 the third Monday in January (observance of Martin Luther
25 King, Jr.'s birthday);

26 the twelfth day in February (Abraham Lincoln's birthday);

27 the third Monday in February (Presidents Day);

28 the first Monday in March (observance of Casimir
29 Pulaski's birthday);

30 the Friday preceding Easter Sunday (Good Friday);

31 the last Monday of May (Memorial Day);

32 the fourth day of July (Independence Day);

1 the first Monday in September (Labor Day);

2 the second Monday in October (Columbus Day);

3 the date established by the Election Code as the date of
4 the general election (General Election Day);

5 the eleventh day of November (Veterans' Day);

6 the fourth Thursday in November (Thanksgiving Day);

7 the twenty-fifth day in December (Christmas Day);

8 ~~the--days-upon-which-the-general-elections-for-members-of~~
9 ~~the-House-of-Representatives-are-held,~~ and any day proclaimed
10 by the Governor of this State as a legal holiday. From 12
11 o'clock noon to 12 o'clock midnight of each Saturday shall be
12 considered a half holiday. In addition to such holidays and
13 half-holidays, a bank may select one day of the week to
14 remain closed, as provided in subsection (b) of this Section.

15 (b) Any bank doing business within this State may select
16 any one day of the week to remain closed on a regular basis
17 upon adoption of a resolution by the board of directors of
18 such bank designating the day selected and upon filing and
19 publishing a copy of such resolution as hereinafter required.
20 Any such resolution shall be deemed effective for the purpose
21 of this Section only when a copy thereof, certified by an
22 officer having charge of the records of such bank, is filed
23 with the Recorder of the county in which such bank is located
24 and published once each week for 3 successive weeks in a
25 newspaper of general circulation in such county. Such
26 publication shall be accomplished by, and at the expense of,
27 the bank, and the bank shall submit to the Commissioner of
28 Banks and Real Estate such evidence of the publication as the
29 Commissioner shall deem appropriate. Any such selection
30 shall remain in full force and effect until a copy of the
31 later resolution of the board of directors of such bank,
32 certified in like manner, terminating or altering any such
33 prior selection shall be filed and published in the same
34 manner as such prior resolution.

1 (c) If an occasion arises when a state bank wishes to
2 remain closed on a particular day, other than a day on which
3 the bank has selected to remain closed on a regular basis as
4 provided in this Section, such state bank may remain closed
5 on such an occasion after first sending to the Commissioner a
6 copy of a resolution adopted by the board of directors
7 authorizing the bank to remain closed on such occasion and
8 notice of the intent to remain closed on such occasion shall
9 be conspicuously posted in the lobby of the main banking
10 office and any branches of such bank for at least 3 weeks in
11 advance of such occasion. Any day which any bank doing
12 business within the State shall select to remain closed
13 pursuant to this Section shall, with respect to such bank, be
14 treated and considered as a Sunday.

15 (d) All legal holidays, the half holidays and any day
16 selected by a bank doing business within the State to remain
17 closed, shall, for all purposes whatsoever, as regards the
18 presenting for payment or acceptance, the maturity and
19 protesting and giving of notice of the dishonor of bills of
20 exchange, bank checks and promissory notes and other
21 negotiable or commercial paper or instrument, be treated and
22 considered as a Sunday. When any such holidays fall on
23 Sunday, the Monday next following shall be held and
24 considered such holiday. All notes, bills, drafts, checks or
25 other evidence of indebtedness, falling due or maturing on
26 either of such days, shall be deemed as due or maturing upon
27 the day following, and when 2 or more of these days come
28 together, or immediately succeeding each other, then such
29 instruments, paper or indebtedness shall be deemed as due or
30 having matured on the day following the last of such days.

31 (e) Any act authorized, required or permitted to be
32 performed at or by or with respect to any bank doing business
33 within the State on a day which it has selected to remain
34 closed under this Section may be so performed on the next

1 succeeding business day and no liability or loss of rights of
2 any kind shall result from such delay.

3 (f) Nothing in this Act shall in any manner affect the
4 validity of, or render void or voidable, the payment,
5 certification, or acceptance of a check or other negotiable
6 instrument, or any other transaction by a bank in this State,
7 because done or performed on any Saturday, Sunday, holiday,
8 or any day selected by a bank to remain closed, or during any
9 time other than regular banking hours; but no bank in this
10 State, which by law or custom is entitled to remain open or
11 to close for the whole or any part of any day selected by it
12 to remain open or to close, is compelled to close, or to
13 remain open for the transaction of business or to perform any
14 of the acts or transactions aforesaid except at its own
15 option.

16 (Source: P.A. 89-508, eff. 7-3-96; 89-567, eff. 7-26-96;
17 90-14, eff. 7-1-97.)

18 Section 95. The State Mandates Act is amended by adding
19 Section 8.27 as follows:

20 (30 ILCS 805/8.27 new)

21 Sec. 8.27. Exempt mandate. Notwithstanding Sections 6
22 and 8 of this Act, no reimbursement by the State is required
23 for the implementation of any mandate created by this
24 amendatory Act of the 93rd General Assembly.