



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3982

Introduced 3/4/2021, by Rep. Delia C. Ramirez - Barbara Hernandez - Lakesia Collins

SYNOPSIS AS INTRODUCED:

5 ILCS 490/7
5 ILCS 490/35 rep.
10 ILCS 5/1-6
30 ILCS 500/15-45
105 ILCS 5/24-2 from Ch. 122, par. 24-2
205 ILCS 630/17 from Ch. 17, par. 2201

Amends the State Commemorative Dates Act. Provides that the second Monday in October of each year (currently, the last Monday in September) shall be a holiday to be known as Indigenous Peoples Day to be observed throughout the State (currently, not a holiday). Removes Columbus Day as a holiday and a commemorative date. Amends the Election Code, the Illinois Procurement Code, the School Code, and the Promissory Note and Bank Holiday Act to make changes to provide for Indigenous Peoples Day as a State holiday and the removal of Columbus Day as a State holiday. Makes conforming changes.

LRB102 10336 RJF 15663 b

1 AN ACT concerning government.

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 by
5 changing Sections 7 and 35 as follows:

6 (5 ILCS 490/7)

7 Sec. 7. Indigenous Peoples Day. The second Monday in
8 October ~~last Monday in September~~ of each year shall be a
9 holiday to be known ~~is designated~~ as Indigenous Peoples Day to
10 be observed throughout the State as a day to recognize the
11 contributions of indigenous peoples with suitable ceremony and
12 fellowship designed to promote greater understanding and
13 kinship between indigenous peoples and non-indigenous peoples
14 of the State of Illinois.

15 (Source: P.A. 100-119, eff. 8-18-17.)

16 (5 ILCS 490/35 rep.)

17 Section 10. The State Commemorative Dates Act is amended
18 by repealing Section 35.

19 Section 15. The Election Code is amended by changing
20 Section 1-6 as follows:

1 (10 ILCS 5/1-6)

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

4 (a) If the first or last day fixed by law to do any act
5 required or allowed by this Code falls on a State holiday or a
6 Saturday or a Sunday, the period shall extend through the
7 first business day next following the day otherwise fixed as
8 the first or last day, irrespective of whether any election
9 authority or local election official conducts business on the
10 State holiday, Saturday, or Sunday.

11 (b) For the purposes of this Section, "State holiday"
12 means New Year's Day, Dr. Martin Luther King, Jr.'s Birthday,
13 Lincoln's Birthday, President's Day, Casimir Pulaski's
14 Birthday, Good Friday, Memorial Day, Independence Day, Labor
15 Day, Indigenous Peoples Day ~~Columbus Day~~, Veterans' Day,
16 Thanksgiving Day, Christmas Day, and any other day from time
17 to time declared by the President of the United States or the
18 Governor of Illinois to be a day during which the agencies of
19 the State of Illinois that are ordinarily open to do business
20 with the public shall be closed for business.

21 (c) Notwithstanding any other provision of this Code,
22 nominating papers, petitions of objection to nominating
23 papers, certificates of withdrawal of candidacy, and reports
24 of political committees actually received by election
25 authorities and local election officials on a State holiday, a
26 Saturday, or a Sunday shall not be deemed invalid or defective

1 for that reason alone.

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

3 Section 20. The Illinois Procurement Code is amended by
4 changing Section 15-45 as follows:

5 (30 ILCS 500/15-45)

6 Sec. 15-45. Computation of days. The time within which any
7 act provided in this Code is to be done shall be computed by
8 excluding the first day and including the last, unless the
9 last day is Saturday or Sunday or is a holiday, and then it
10 shall also be excluded. If the day succeeding a Saturday,
11 Sunday, or holiday is also a holiday, a Saturday, or a Sunday,
12 then that succeeding day shall also be excluded. For the
13 purposes of this Code, "holiday" means: New Year's Day; Dr.
14 Martin Luther King, Jr.'s Birthday; Lincoln's Birthday;
15 President's Day; Memorial Day; Independence Day; Labor Day;
16 Indigenous Peoples Day ~~Columbus Day~~; Veterans' Day;
17 Thanksgiving Day; Christmas Day; and any other day from time
18 to time declared by the President of the United States or the
19 Governor of Illinois to be a day during which the agencies of
20 the State of Illinois that are ordinarily open to do business
21 with the public shall be closed for business.

22 Notwithstanding any other provision of State law to the
23 contrary, November 3, 2020 shall be a State holiday known as
24 2020 General Election Day and shall be observed throughout the

1 State pursuant to this amendatory Act of the 101st General
2 Assembly.

3 (Source: P.A. 101-642, eff. 6-16-20.)

4 Section 25. The School Code is amended by changing Section
5 24-2 as follows:

6 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

7 Sec. 24-2. Holidays.

8 (a) Teachers shall not be required to teach on Saturdays,
9 nor, except as provided in subsection (b) of this Section,
10 shall teachers or other school employees, other than
11 noncertificated school employees whose presence is necessary
12 because of an emergency or for the continued operation and
13 maintenance of school facilities or property, be required to
14 work on legal school holidays, which are January 1, New Year's
15 Day; the third Monday in January, the Birthday of Dr. Martin
16 Luther King, Jr.; February 12, the Birthday of President
17 Abraham Lincoln; the first Monday in March (to be known as
18 Casimir Pulaski's birthday); Good Friday; the day designated
19 as Memorial Day by federal law; July 4, Independence Day; the
20 first Monday in September, Labor Day; the second Monday in
21 October, Indigenous Peoples Day ~~the second Monday in October,~~
22 ~~Columbus Day~~; November 11, Veterans' Day; the Thursday in
23 November commonly called Thanksgiving Day; and December 25,
24 Christmas Day. School boards may grant special holidays

1 whenever in their judgment such action is advisable. No
2 deduction shall be made from the time or compensation of a
3 school employee on account of any legal or special holiday.

4 (b) A school board or other entity eligible to apply for
5 waivers and modifications under Section 2-3.25g of this Code
6 is authorized to hold school or schedule teachers' institutes,
7 parent-teacher conferences, or staff development on the third
8 Monday in January (the Birthday of Dr. Martin Luther King,
9 Jr.); February 12 (the Birthday of President Abraham Lincoln);
10 the first Monday in March (known as Casimir Pulaski's
11 birthday); the second Monday in October (Indigenous Peoples
12 Day) ~~the second Monday in October (Columbus Day)~~; and November
13 11 (Veterans' Day), provided that:

14 (1) the person or persons honored by the holiday are
15 recognized through instructional activities conducted on
16 that day or, if the day is not used for student attendance,
17 on the first school day preceding or following that day;
18 and

19 (2) the entity that chooses to exercise this authority
20 first holds a public hearing about the proposal. The
21 entity shall provide notice preceding the public hearing
22 to both educators and parents. The notice shall set forth
23 the time, date, and place of the hearing, describe the
24 proposal, and indicate that the entity will take testimony
25 from educators and parents about the proposal.

26 (c) Commemorative holidays, which recognize specified

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

23 (d) City of Chicago School District 299 shall observe
24 March 4 of each year as a commemorative holiday. This holiday
25 shall be known as Mayors' Day which shall be a day to
26 commemorate and be reminded of the past Chief Executive

1 Officers of the City of Chicago, and in particular the late
2 Mayor Richard J. Daley and the late Mayor Harold Washington.
3 If March 4 falls on a Saturday or Sunday, Mayors' Day shall be
4 observed on the following Monday.

5 (e) Notwithstanding any other provision of State law to
6 the contrary, November 3, 2020 shall be a State holiday known
7 as 2020 General Election Day and shall be observed throughout
8 the State pursuant to this amendatory Act of the 101st General
9 Assembly. All government offices, with the exception of
10 election authorities, shall be closed unless authorized to be
11 used as a location for election day services or as a polling
12 place.

13 (Source: P.A. 101-642, eff. 6-16-20.)

14 Section 30. The Promissory Note and Bank Holiday Act is
15 amended by changing Section 17 as follows:

16 (205 ILCS 630/17) (from Ch. 17, par. 2201)

17 Sec. 17. Holidays.

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

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

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

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

1 the third Monday in February (Presidents Day);
2 the first Monday in March (observance of Casimir Pulaski's
3 birthday);
4 the Friday preceding Easter Sunday (Good Friday);
5 the last Monday of May (Memorial Day);
6 the fourth day of July (Independence Day);
7 the first Monday in September (Labor Day);
8 the second Monday in October (Indigenous Peoples Day);
9 ~~the second Monday in October (Columbus Day);~~
10 the eleventh day of November (Veterans' Day);
11 the fourth Thursday in November (Thanksgiving Day);
12 the twenty-fifth day in December (Christmas Day);
13 the days upon which the general elections for members of
14 the House of Representatives are held, and any day proclaimed
15 by the Governor of this State as a legal holiday. From 12
16 o'clock noon to 12 o'clock midnight of each Saturday shall be
17 considered a half holiday. In addition to such holidays and
18 half-holidays, a bank may select one day of the week to remain
19 closed, as provided in subsection (b) of this Section.

20 (b) Any bank doing business within this State may select
21 any one day of the week to remain closed on a regular basis
22 upon adoption of a resolution by the board of directors of such
23 bank designating the day selected and upon filing and
24 publishing a copy of such resolution as hereinafter required.
25 Any such resolution shall be deemed effective for the purpose
26 of this Section only when a copy thereof, certified by an

1 officer having charge of the records of such bank, is filed
2 with the Recorder of the county in which such bank is located
3 and published once each week for 3 successive weeks in a
4 newspaper of general circulation in such county. Such
5 publication shall be accomplished by, and at the expense of,
6 the bank, and the bank shall submit to the Commissioner of
7 Banks and Real Estate such evidence of the publication as the
8 Commissioner shall deem appropriate. Any such selection shall
9 remain in full force and effect until a copy of the later
10 resolution of the board of directors of such bank, certified
11 in like manner, terminating or altering any such prior
12 selection shall be filed and published in the same manner as
13 such prior resolution.

14 (c) If an occasion arises when a state bank wishes to
15 remain closed on a particular day, other than a day on which
16 the bank has selected to remain closed on a regular basis as
17 provided in this Section, such state bank may remain closed on
18 such an occasion after first sending to the Commissioner a
19 copy of a resolution adopted by the board of directors
20 authorizing the bank to remain closed on such occasion and
21 notice of the intent to remain closed on such occasion shall be
22 conspicuously posted in the lobby of the main banking office
23 and any branches of such bank for at least 3 weeks in advance
24 of such occasion. Any day which any bank doing business within
25 the State shall select to remain closed pursuant to this
26 Section shall, with respect to such bank, be treated and

1 considered as a Sunday.

2 (d) All legal holidays, the half holidays and any day
3 selected by a bank doing business within the State to remain
4 closed, shall, for all purposes whatsoever, as regards the
5 presenting for payment or acceptance, the maturity and
6 protesting and giving of notice of the dishonor of bills of
7 exchange, bank checks and promissory notes and other
8 negotiable or commercial paper or instrument, be treated and
9 considered as a Sunday. When any such holidays fall on Sunday,
10 the Monday next following shall be held and considered such
11 holiday. All notes, bills, drafts, checks or other evidence of
12 indebtedness, falling due or maturing on either of such days,
13 shall be deemed as due or maturing upon the day following, and
14 when 2 or more of these days come together, or immediately
15 succeeding each other, then such instruments, paper or
16 indebtedness shall be deemed as due or having matured on the
17 day following the last of such days.

18 (e) Any act authorized, required or permitted to be
19 performed at or by or with respect to any bank doing business
20 within the State on a day which it has selected to remain
21 closed under this Section may be so performed on the next
22 succeeding business day and no liability or loss of rights of
23 any kind shall result from such delay.

24 (f) Nothing in this Act shall in any manner affect the
25 validity of, or render void or voidable, the payment,
26 certification, or acceptance of a check or other negotiable

1 instrument, or any other transaction by a bank in this State,
2 because done or performed on any Saturday, Sunday, holiday, or
3 any day selected by a bank to remain closed, or during any time
4 other than regular banking hours; but no bank in this State,
5 which by law or custom is entitled to remain open or to close
6 for the whole or any part of any day selected by it to remain
7 open or to close, is compelled to close, or to remain open for
8 the transaction of business or to perform any of the acts or
9 transactions aforesaid except at its own option.

10 (Source: P.A. 89-508, eff. 7-3-96; 89-567, eff. 7-26-96;
11 90-14, eff. 7-1-97.)