



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5576

Introduced 2/9/2024, by Rep. Hoan Huynh

SYNOPSIS AS INTRODUCED:

5 ILCS 490/57 new
10 ILCS 5/1-6
30 ILCS 500/15-45
105 ILCS 5/24-2
205 ILCS 630/17

from Ch. 17, par. 2201

Amends the State Commemorative Dates Act. Provides that the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene, is a holiday to be observed throughout the State and to be known as the Lunar New Year. Provides that, when the Lunar New Year falls on a Saturday or Sunday, the following Monday shall be held and considered the holiday. Amends the Election Code, the Illinois Procurement Code, the School Code, and the Promissory Note and Bank Holiday Act to include the Lunar New Year as a holiday.

LRB103 35096 AWJ 65053 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 adding Section 57 as follows:

6 (5 ILCS 490/57 new)

7 Sec. 57. Lunar New Year. The date corresponding with the
8 second new moon following the winter solstice, or the third
9 new moon following the winter solstice should an intercalary
10 month intervene, is a holiday to be observed throughout the
11 State and to be known as Lunar New Year. When Lunar New Year
12 falls on a Saturday or Sunday, the following Monday shall be
13 held and considered the holiday.

14 Section 10. The Election Code is amended by changing
15 Section 1-6 as follows:

16 (10 ILCS 5/1-6)

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

19 (a) If the first or last day fixed by law to do any act
20 required or allowed by this Code falls on a State holiday or a
21 Saturday or a Sunday, the period shall extend through the

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

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

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

23 (Source: P.A. 102-14, eff. 1-1-22; 102-334, eff. 8-9-21.)

24 Section 15. The Illinois Procurement Code is amended by
25 changing Section 15-45 as follows:

1 (30 ILCS 500/15-45)

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

18 Notwithstanding any other provision of State law to the
19 contrary, November 3, 2020 shall be a State holiday known as
20 2020 General Election Day and shall be observed throughout the
21 State pursuant to this amendatory Act of the 101st General
22 Assembly.

23 (Source: P.A. 101-642, eff. 6-16-20; 102-14, eff. 1-1-22;
24 102-334, eff. 8-9-21.)

1 Section 20. The School Code is amended by changing Section
2 24-2 as follows:

3 (105 ILCS 5/24-2)

4 Sec. 24-2. Holidays.

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

1 their judgment such action is advisable. No deduction shall be
2 made from the time or compensation of a school employee,
3 including an educational support personnel employee, on
4 account of any legal or special holiday in which that employee
5 would have otherwise been scheduled to work but for the legal
6 or special holiday.

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

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

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

1 from educators and parents about the proposal.

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

26 (d) City of Chicago School District 299 shall observe

1 March 4 of each year as a commemorative holiday. This holiday
2 shall be known as Mayors' Day which shall be a day to
3 commemorate and be reminded of the past Chief Executive
4 Officers of the City of Chicago, and in particular the late
5 Mayor Richard J. Daley and the late Mayor Harold Washington.
6 If March 4 falls on a Saturday or Sunday, Mayors' Day shall be
7 observed on the following Monday.

8 (e) Notwithstanding any other provision of State law to
9 the contrary, November 3, 2020 shall be a State holiday known
10 as 2020 General Election Day and shall be observed throughout
11 the State pursuant to Public Act 101-642 ~~this amendatory Act~~
12 ~~of the 101st General Assembly~~. All government offices, with
13 the exception of election authorities, shall be closed unless
14 authorized to be used as a location for election day services
15 or as a polling place.

16 Notwithstanding any other provision of State law to the
17 contrary, November 8, 2022 shall be a State holiday known as
18 2022 General Election Day and shall be observed throughout the
19 State under Public Act 102-15.

20 Notwithstanding any other provision of State law to the
21 contrary, November 5, 2024 shall be a State holiday known as
22 2024 General Election Day and shall be observed throughout
23 this State pursuant to Public Act 103-467 ~~this amendatory Act~~
24 ~~of the 103rd General Assembly~~.

25 (Source: P.A. 102-14, eff. 1-1-22; 102-15, eff. 6-17-21;
26 102-334, eff. 8-9-21; 102-411, eff. 1-1-22; 102-813, eff.

1 5-13-22; 103-15, eff. 7-1-23; 103-395, eff. 1-1-24; 103-467,
2 eff. 8-4-23; revised 9-1-23.)

3 Section 25. The Promissory Note and Bank Holiday Act is
4 amended by changing Section 17 as follows:

5 (205 ILCS 630/17) (from Ch. 17, par. 2201)

6 Sec. 17. Holidays.

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

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

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

13 the date corresponding with the second new moon following
14 the winter solstice, or the third new moon following the
15 winter solstice should an intercalary month intervene (Lunar
16 New Year);

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

18 the third Monday in February (Presidents Day);

19 the first Monday in March (observance of Casimir Pulaski's
20 birthday);

21 the Friday preceding Easter Sunday (Good Friday);

22 the last Monday of May (Memorial Day);

23 the nineteenth day of June (Juneteenth National Freedom
24 Day);

1 the fourth day of July (Independence Day);
2 the first Monday in September (Labor Day);
3 the second Monday in October (Columbus Day);
4 the eleventh day of November (Veterans' Day);
5 the fourth Thursday in November (Thanksgiving Day);
6 the twenty-fifth day in December (Christmas Day);
7 the days upon which the general elections for members of
8 the House of Representatives are held, and any day proclaimed
9 by the Governor of this State as a legal holiday. From 12
10 o'clock noon to 12 o'clock midnight of each Saturday shall be
11 considered a half holiday. In addition to such holidays and
12 half-holidays, a bank may select one day of the week to remain
13 closed, as provided in subsection (b) of this Section.

14 (b) Any bank doing business within this State may select
15 any one day of the week to remain closed on a regular basis
16 upon adoption of a resolution by the board of directors of such
17 bank designating the day selected and upon filing and
18 publishing a copy of such resolution as hereinafter required.
19 Any such resolution shall be deemed effective for the purpose
20 of this Section only when a copy thereof, certified by an
21 officer having charge of the records of such bank, is filed
22 with the Recorder of the county in which such bank is located
23 and published once each week for 3 successive weeks in a
24 newspaper of general circulation in such county. Such
25 publication shall be accomplished by, and at the expense of,
26 the bank, and the bank shall submit to the Commissioner of

1 Banks and Real Estate such evidence of the publication as the
2 Commissioner shall deem appropriate. Any such selection shall
3 remain in full force and effect until a copy of the later
4 resolution of the board of directors of such bank, certified
5 in like manner, terminating or altering any such prior
6 selection shall be filed and published in the same manner as
7 such prior resolution.

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

22 (d) All legal holidays, the half holidays and any day
23 selected by a bank doing business within the State to remain
24 closed, shall, for all purposes whatsoever, as regards the
25 presenting for payment or acceptance, the maturity and
26 protesting and giving of notice of the dishonor of bills of

1 exchange, bank checks and promissory notes and other
2 negotiable or commercial paper or instrument, be treated and
3 considered as a Sunday. When any such holidays, except
4 Juneteenth National Freedom Day, fall on Sunday, the Monday
5 next following shall be held and considered such holiday. All
6 notes, bills, drafts, checks or other evidence of
7 indebtedness, falling due or maturing on either of such days,
8 shall be deemed as due or maturing upon the day following, and
9 when 2 or more of these days come together, or immediately
10 succeeding each other, then such instruments, paper or
11 indebtedness shall be deemed as due or having matured on the
12 day following the last of such days.

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

19 (f) Nothing in this Act shall in any manner affect the
20 validity of, or render void or voidable, the payment,
21 certification, or acceptance of a check or other negotiable
22 instrument, or any other transaction by a bank in this State,
23 because done or performed on any Saturday, Sunday, holiday, or
24 any day selected by a bank to remain closed, or during any time
25 other than regular banking hours; but no bank in this State,
26 which by law or custom is entitled to remain open or to close

1 for the whole or any part of any day selected by it to remain
2 open or to close, is compelled to close, or to remain open for
3 the transaction of business or to perform any of the acts or
4 transactions aforesaid except at its own option.

5 (Source: P.A. 102-14, eff. 1-1-22; 102-334, eff. 8-9-21.)