



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4419

Introduced 2/3/2020, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

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 Election Code. Provides that General Election Day (rather than Columbus Day) is a State holiday for the purpose of extending date requirements in the Election Code. Makes similar changes in the Illinois Procurement Code, the School Code, and the Promissory Note and Bank Holiday Act. Effective immediately.

LRB101 19769 SMS 69279 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing Section
5 1-6 as follows:

6 (10 ILCS 5/1-6)

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

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

16 (b) For the purposes of this Section, "State holiday" means
17 New Year's Day, Dr. Martin Luther King, Jr.'s Birthday,
18 Lincoln's Birthday, President's Day, Casimir Pulaski's
19 Birthday, Good Friday, Memorial Day, Independence Day, Labor
20 Day, General Election Day ~~Columbus Day~~, Veterans' Day,
21 Thanksgiving Day, Christmas Day, and any other day from time to
22 time declared by the President of the United States or the
23 Governor of Illinois to be a day during which the agencies of

1 the State of Illinois that are ordinarily open to do business
2 with the public shall be closed for business.

3 (c) Notwithstanding any other provision of this Code,
4 nominating papers, petitions of objection to nominating
5 papers, certificates of withdrawal of candidacy, and reports of
6 political committees actually received by election authorities
7 and local election officials on a State holiday, a Saturday, or
8 a Sunday shall not be deemed invalid or defective for that
9 reason alone.

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

11 Section 10. The Illinois Procurement Code is amended by
12 changing Section 15-45 as follows:

13 (30 ILCS 500/15-45)

14 Sec. 15-45. Computation of days. The time within which any
15 act provided in this Code is to be done shall be computed by
16 excluding the first day and including the last, unless the last
17 day is Saturday or Sunday or is a holiday, and then it shall
18 also be excluded. If the day succeeding a Saturday, Sunday, or
19 holiday is also a holiday, a Saturday, or a Sunday, then that
20 succeeding day shall also be excluded. For the purposes of this
21 Code, "holiday" means: New Year's Day; Dr. Martin Luther King,
22 Jr.'s Birthday; Lincoln's Birthday; President's Day; Memorial
23 Day; Independence Day; Labor Day; General Election Day ~~Columbus~~
24 ~~Day~~; Veterans' Day; Thanksgiving Day; Christmas Day; and any

1 other day from time to time declared by the President of the
2 United States or the Governor of Illinois to be a day during
3 which the agencies of the State of Illinois that are ordinarily
4 open to do business with the public shall be closed for
5 business.

6 (Source: P.A. 98-1076, eff. 1-1-15.)

7 Section 15. The School Code is amended by changing Section
8 24-2 as follows:

9 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

10 Sec. 24-2. Holidays.

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

1 ~~Columbus Day~~; November 11, Veterans' Day; the Thursday in
2 November commonly called Thanksgiving Day; and December 25,
3 Christmas Day. School boards may grant special holidays
4 whenever in their judgment such action is advisable. No
5 deduction shall be made from the time or compensation of a
6 school employee on account of any legal 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 is
9 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 first Tuesday in November (General Election Day)
15 ~~the second Monday in October (Columbus Day)~~; and November 11
16 (Veterans' Day), provided that:

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

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

1 indicate that the entity will take testimony from educators
2 and parents about the proposal.

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

25 (d) City of Chicago School District 299 shall observe March
26 4 of each year as a commemorative holiday. This holiday shall

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

7 (Source: P.A. 98-156, eff. 8-2-13.)

8 Section 20. The Promissory Note and Bank Holiday Act is
9 amended by changing Section 17 as follows:

10 (205 ILCS 630/17) (from Ch. 17, par. 2201)

11 Sec. 17. Holidays.

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

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

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

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

19 the third Monday in February (Presidents Day);

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

22 the Friday preceding Easter Sunday (Good Friday);

23 the last Monday of May (Memorial Day);

24 the fourth day of July (Independence Day);

1 the first Monday in September (Labor Day);
2 the first Tuesday in November (General Election 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 in
5 like manner, terminating or altering any such prior selection
6 shall be filed and published in the same manner as such prior
7 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 copy
13 of a resolution adopted by the board of directors authorizing
14 the bank to remain closed on such occasion and notice of the
15 intent to remain closed on such occasion shall be conspicuously
16 posted in the lobby of the main banking office and any branches
17 of such bank for at least 3 weeks in advance of such occasion.
18 Any day which any bank doing business within the State shall
19 select to remain closed pursuant to this Section shall, with
20 respect to such bank, be treated and considered as a Sunday.

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

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

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

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

1 the transaction of business or to perform any of the acts or
2 transactions aforesaid except at its own option.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.