



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5553

by Rep. Delia C. Ramirez

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.

LRB101 20688 RJF 70352 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 by
18 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 first
7 business day next following the day otherwise fixed as the
8 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" means
12 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 to
17 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 of
24 political committees actually received by election authorities
25 and local election officials on a State holiday, a Saturday, or
26 a Sunday shall not be deemed invalid or defective for that

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

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

23 Section 25. The School Code is amended by changing Section

1 24-2 as follows:

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

3 Sec. 24-2. Holidays.

4 (a) Teachers shall not be required to teach on Saturdays,
5 nor, except as provided in subsection (b) of this Section,
6 shall teachers or other school employees, other than
7 noncertificated school employees whose presence is necessary
8 because of an emergency or for the continued operation and
9 maintenance of school facilities or property, be required to
10 work on legal school holidays, which are January 1, New Year's
11 Day; the third Monday in January, the Birthday of Dr. Martin
12 Luther King, Jr.; February 12, the Birthday of President
13 Abraham Lincoln; the first Monday in March (to be known as
14 Casimir Pulaski's birthday); Good Friday; the day designated as
15 Memorial Day by federal law; July 4, Independence Day; the
16 first Monday in September, Labor Day; the second Monday in
17 October, Indigenous Peoples Day ~~the second Monday in October,~~
18 ~~Columbus Day~~; November 11, Veterans' Day; the Thursday in
19 November commonly called Thanksgiving Day; and December 25,
20 Christmas Day. School boards may grant special holidays
21 whenever in their judgment such action is advisable. No
22 deduction shall be made from the time or compensation of a
23 school employee on account of any legal or special holiday.

24 (b) A school board or other entity eligible to apply for
25 waivers and modifications under Section 2-3.25g of this Code is

1 authorized to hold school or schedule teachers' institutes,
2 parent-teacher conferences, or staff development on the third
3 Monday in January (the Birthday of Dr. Martin Luther King,
4 Jr.); February 12 (the Birthday of President Abraham Lincoln);
5 the first Monday in March (known as Casimir Pulaski's
6 birthday); the second Monday in October (Indigenous Peoples
7 Day) ~~the second Monday in October (Columbus Day)~~; and November
8 11 (Veterans' Day), provided that:

9 (1) the person or persons honored by the holiday are
10 recognized through instructional activities conducted on
11 that day or, if the day is not used for student attendance,
12 on the first school day preceding or following that day;
13 and

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

21 (c) Commemorative holidays, which recognize specified
22 patriotic, civic, cultural or historical persons, activities,
23 or events, are regular school days. Commemorative holidays are:
24 January 28 (to be known as Christa McAuliffe Day and observed
25 as a commemoration of space exploration), February 15 (the
26 birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans'

1 Day), September 11 (September 11th Day of Remembrance), the
2 school day immediately preceding Veterans' Day (Korean War
3 Veterans' Day), October 1 (Recycling Day), October 7 (Iraq and
4 Afghanistan Veterans Remembrance Day), December 7 (Pearl
5 Harbor Veterans' Day), and any day so appointed by the
6 President or Governor. School boards may establish
7 commemorative holidays whenever in their judgment such action
8 is advisable. School boards shall include instruction relative
9 to commemorated persons, activities, or events on the
10 commemorative holiday or at any other time during the school
11 year and at any point in the curriculum when such instruction
12 may be deemed appropriate. The State Board of Education shall
13 prepare and make available to school boards instructional
14 materials relative to commemorated persons, activities, or
15 events which may be used by school boards in conjunction with
16 any instruction provided pursuant to this paragraph.

17 (d) City of Chicago School District 299 shall observe March
18 4 of each year as a commemorative holiday. This holiday shall
19 be known as Mayors' Day which shall be a day to commemorate and
20 be reminded of the past Chief Executive Officers of the City of
21 Chicago, and in particular the late Mayor Richard J. Daley and
22 the late Mayor Harold Washington. If March 4 falls on a
23 Saturday or Sunday, Mayors' Day shall be observed on the
24 following Monday.

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

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

3 (205 ILCS 630/17) (from Ch. 17, par. 2201)

4 Sec. 17. Holidays.

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

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

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

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

12 the third Monday in February (Presidents Day);

13 the first Monday in March (observance of Casimir Pulaski's
14 birthday);

15 the Friday preceding Easter Sunday (Good Friday);

16 the last Monday of May (Memorial Day);

17 the fourth day of July (Independence Day);

18 the first Monday in September (Labor Day);

19 the second Monday in October (Indigenous Peoples Day);

20 ~~the second Monday in October (Columbus Day);~~

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

22 the fourth Thursday in November (Thanksgiving Day);

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

24 the days upon which the general elections for members of
25 the House of Representatives are held, and any day proclaimed

1 by the Governor of this State as a legal holiday. From 12
2 o'clock noon to 12 o'clock midnight of each Saturday shall be
3 considered a half holiday. In addition to such holidays and
4 half-holidays, a bank may select one day of the week to remain
5 closed, as provided in subsection (b) of this Section.

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

26 (c) If an occasion arises when a state bank wishes to

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

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

1 deemed as due or having matured on the day following the last
2 of such days.

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

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

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