

**HB0027**



**102ND GENERAL ASSEMBLY**

**State of Illinois**

**2021 and 2022**

**HB0027**

Introduced 1/14/2021, 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.

LRB102 03096 SMS 13109 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

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  
5 Section 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  
12 first business day next following the day otherwise fixed as  
13 the 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"  
17 means 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  
22 to 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  
6 of political committees actually received by election  
7 authorities and local election officials on a State holiday, a  
8 Saturday, or a Sunday shall not be deemed invalid or defective  
9 for that 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  
17 last day is Saturday or Sunday or is a holiday, and then it  
18 shall also be excluded. If the day succeeding a Saturday,  
19 Sunday, or holiday is also a holiday, a Saturday, or a Sunday,  
20 then that succeeding day shall also be excluded. For the  
21 purposes of this Code, "holiday" means: New Year's Day; Dr.  
22 Martin Luther King, Jr.'s Birthday; Lincoln's Birthday;  
23 President's Day; Memorial Day; Independence Day; Labor Day;  
24 General Election Day ~~Columbus Day~~; Veterans' Day; Thanksgiving

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

6 Notwithstanding any other provision of State law to the  
7 contrary, November 3, 2020 shall be a State holiday known as  
8 2020 General Election Day and shall be observed throughout the  
9 State pursuant to this amendatory Act of the 101st General  
10 Assembly.

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

12 Section 15. The School Code is amended by changing Section  
13 24-2 as follows:

14 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

15 Sec. 24-2. Holidays.

16 (a) Teachers shall not be required to teach on Saturdays,  
17 nor, except as provided in subsection (b) of this Section,  
18 shall teachers or other school employees, other than  
19 noncertificated school employees whose presence is necessary  
20 because of an emergency or for the continued operation and  
21 maintenance of school facilities or property, be required to  
22 work on legal school holidays, which are January 1, New Year's  
23 Day; the third Monday in January, the Birthday of Dr. Martin  
24 Luther King, Jr.; February 12, the Birthday of President

1 Abraham Lincoln; the first Monday in March (to be known as  
2 Casimir Pulaski's birthday); Good Friday; the day designated  
3 as Memorial Day by federal law; July 4, Independence Day; the  
4 first Monday in September, Labor Day; the first Tuesday in  
5 November, General Election Day ~~the second Monday in October,~~  
6 ~~Columbus Day~~; November 11, Veterans' Day; the Thursday in  
7 November commonly called Thanksgiving Day; and December 25,  
8 Christmas Day. School boards may grant special holidays  
9 whenever in their judgment such action is advisable. No  
10 deduction shall be made from the time or compensation of a  
11 school employee on account of any legal or special holiday.

12 (b) A school board or other entity eligible to apply for  
13 waivers and modifications under Section 2-3.25g of this Code  
14 is authorized to hold school or schedule teachers' institutes,  
15 parent-teacher conferences, or staff development on the third  
16 Monday in January (the Birthday of Dr. Martin Luther King,  
17 Jr.); February 12 (the Birthday of President Abraham Lincoln);  
18 the first Monday in March (known as Casimir Pulaski's  
19 birthday); the first Tuesday in November (General Election  
20 Day) ~~the second Monday in October (Columbus Day)~~; and November  
21 11 (Veterans' Day), provided that:

22 (1) the person or persons honored by the holiday are  
23 recognized through instructional activities conducted on  
24 that day or, if the day is not used for student attendance,  
25 on the first school day preceding or following that day;  
26 and

1           (2) the entity that chooses to exercise this authority  
2           first holds a public hearing about the proposal. The  
3           entity shall provide notice preceding the public hearing  
4           to both educators and parents. The notice shall set forth  
5           the time, date, and place of the hearing, describe the  
6           proposal, and indicate that the entity will take testimony  
7           from educators and parents about the proposal.

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

1 instructional materials relative to commemorated persons,  
2 activities, or events which may be used by school boards in  
3 conjunction with any instruction provided pursuant to this  
4 paragraph.

5 (d) City of Chicago School District 299 shall observe  
6 March 4 of each year as a commemorative holiday. This holiday  
7 shall be known as Mayors' Day which shall be a day to  
8 commemorate and be reminded of the past Chief Executive  
9 Officers of the City of Chicago, and in particular the late  
10 Mayor Richard J. Daley and the late Mayor Harold Washington.  
11 If March 4 falls on a Saturday or Sunday, Mayors' Day shall be  
12 observed on the following Monday.

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

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

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

24 (205 ILCS 630/17) (from Ch. 17, par. 2201)

1           Sec. 17. Holidays.

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

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

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

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

9           the third Monday in February (Presidents Day);

10          the first Monday in March (observance of Casimir Pulaski's  
11 birthday);

12          the Friday preceding Easter Sunday (Good Friday);

13          the last Monday of May (Memorial Day);

14          the fourth day of July (Independence Day);

15          the first Monday in September (Labor Day);

16          the first Tuesday in November (General Election Day);

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

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

19          the fourth Thursday in November (Thanksgiving Day);

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

21          the days upon which the general elections for members of  
22 the House of Representatives are held, and any day proclaimed  
23 by the Governor of this State as a legal holiday. From 12  
24 o'clock noon to 12 o'clock midnight of each Saturday shall be  
25 considered a half holiday. In addition to such holidays and  
26 half-holidays, a bank may select one day of the week to remain



1 closed, as provided in subsection (b) of this Section.

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

22 (c) If an occasion arises when a state bank wishes to  
23 remain closed on a particular day, other than a day on which  
24 the bank has selected to remain closed on a regular basis as  
25 provided in this Section, such state bank may remain closed on  
26 such an occasion after first sending to the Commissioner a

1 copy of a resolution adopted by the board of directors  
2 authorizing the bank to remain closed on such occasion and  
3 notice of the intent to remain closed on such occasion shall be  
4 conspicuously posted in the lobby of the main banking office  
5 and any branches of such bank for at least 3 weeks in advance  
6 of such occasion. Any day which any bank doing business within  
7 the State shall select to remain closed pursuant to this  
8 Section shall, with respect to such bank, be treated and  
9 considered as a Sunday.

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

26 (e) Any act authorized, required or permitted to be

1 performed at or by or with respect to any bank doing business  
2 within the State on a day which it has selected to remain  
3 closed under this Section may be so performed on the next  
4 succeeding business day and no liability or loss of rights of  
5 any kind shall result from such delay.

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

18 (Source: P.A. 89-508, eff. 7-3-96; 89-567, eff. 7-26-96;  
19 90-14, eff. 7-1-97.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.