



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0176

Introduced 1/22/2021, by Rep. Anthony DeLuca

SYNOPSIS AS INTRODUCED:

5 ILCS 490/203 new
105 ILCS 5/24-2

from Ch. 122, par. 24-2

Amends the State Commemorative Dates Act. Provides that the name of each federal holiday and State holiday designated on a unit of local government's calendar must match the name of the federal holiday and State holiday as designated by the State. Defines "federal holiday" and "State holiday". Limits home rule powers. Amends the School Code. In a provision concerning legal holidays, requires the name of each federal and State holiday as specified in that provision to be the name of the holiday that is designated on a school district's calendar for the school term. Effective immediately.

LRB102 04073 RJF 14089 b

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

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 203 as follows:

6 (5 ILCS 490/203 new)

7 Sec. 203. State holidays on calendars of units of local
8 government.

9 (a) The name of each federal holiday and State holiday
10 designated on a unit of local government's calendar must match
11 the name of the federal holiday and State holiday as
12 designated by the State.

13 (b) The regulation of the names of federal holidays and
14 State holidays as used by units of local government is an
15 exclusive power and function of the State. A home rule unit may
16 not regulate the names of federal holidays and State holidays
17 as used by the unit of local government. This Section is a
18 denial and limitation of home rule powers and functions under
19 subsection (h) of Section 6 of Article VII of the Illinois
20 Constitution.

21 (c) For the purposes of this Section:

22 "Federal holiday" means New Year's Day, January 1; the
23 Birthday of Martin Luther King, Jr., the third Monday in

1 January; President's Day, the third Monday in February;
2 Memorial Day, the last Monday in May; Independence Day, July
3 4; Labor Day, the first Monday in September; Columbus Day, the
4 second Monday in October; Veterans' Day, November 11;
5 Thanksgiving Day, the fourth Thursday in November; Christmas
6 Day, December 25; and any other day from time to time declared
7 by the President of the United States to be a day during which
8 the agencies of the State of Illinois that are ordinarily open
9 to do business with the public shall be closed for business.

10 "State holiday" means the Birthday of President Abraham
11 Lincoln, February 12; the first Monday in March (to be known as
12 Casimir Pulaski's birthday); Good Friday; and any other day
13 from time to time declared by the Governor of Illinois to be a
14 day during which the agencies of the State of Illinois that are
15 ordinarily open to do business with the public shall be closed
16 for business.

17 Section 10. The School Code is amended by changing Section
18 24-2 as follows:

19 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

20 Sec. 24-2. Holidays.

21 (a) Teachers shall not be required to teach on Saturdays,
22 nor, except as provided in subsection (b) of this Section,
23 shall teachers or other school employees, other than
24 noncertificated school employees whose presence is necessary

1 because of an emergency or for the continued operation and
2 maintenance of school facilities or property, be required to
3 work on legal federal or State holidays ~~school holidays~~, which
4 are January 1, New Year's Day; the third Monday in January, the
5 Birthday of Dr. Martin Luther King, Jr.; February 12, the
6 Birthday of President Abraham Lincoln; the first Monday in
7 March (to be known as Casimir Pulaski's birthday); Good
8 Friday; the day designated as Memorial Day by federal law;
9 July 4, Independence Day; the first Monday in September, Labor
10 Day; the second Monday in October, Columbus Day; November 11,
11 Veterans' Day; the Thursday in November commonly called
12 Thanksgiving Day; and December 25, Christmas Day. The name of
13 each federal and State holiday as specified in this subsection
14 (a) must be the name of the holiday that is designated on a
15 school district's calendar for the school term. Under no
16 circumstance shall a school district either change the name of
17 or celebrate such holiday under a name other than as
18 designated by the State. School boards may grant special
19 holidays whenever in their judgment such action is advisable.
20 No deduction shall be made from the time or compensation of a
21 school employee on account of any legal or special holiday.

22 (b) A school board or other entity eligible to apply for
23 waivers and modifications under Section 2-3.25g of this Code
24 is authorized to hold school or schedule teachers' institutes,
25 parent-teacher conferences, or staff development on the third
26 Monday in January (the Birthday of Dr. Martin Luther King,

1 Jr.); February 12 (the Birthday of President Abraham Lincoln);
2 the first Monday in March (known as Casimir Pulaski's
3 birthday); the second Monday in October (Columbus Day); and
4 November 11 (Veterans' Day), provided that:

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

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

17 (c) Commemorative holidays, which recognize specified
18 patriotic, civic, cultural or historical persons, activities,
19 or events, are regular school days. Commemorative holidays
20 are: January 28 (to be known as Christa McAuliffe Day and
21 observed as a commemoration of space exploration), February 15
22 (the birthday of Susan B. Anthony), March 29 (Viet Nam War
23 Veterans' Day), September 11 (September 11th Day of
24 Remembrance), the school day immediately preceding Veterans'
25 Day (Korean War Veterans' Day), October 1 (Recycling Day),
26 October 7 (Iraq and Afghanistan Veterans Remembrance Day),

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

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

22 (e) Notwithstanding any other provision of State law to
23 the contrary, November 3, 2020 shall be a State holiday known
24 as 2020 General Election Day and shall be observed throughout
25 the State pursuant to this amendatory Act of the 101st General
26 Assembly. All government offices, with the exception of

1 election authorities, shall be closed unless authorized to be
2 used as a location for election day services or as a polling
3 place.

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

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