



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1392

Introduced 1/31/2023, 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.

LRB103 25503 BMS 51852 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
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, Juneteenth National
20 Freedom Day, Independence Day, Labor Day, General Election Day
21 ~~Columbus Day~~, Veterans' Day, Thanksgiving Day, Christmas Day,
22 and any other day from time to time declared by the President
23 of the United States or the Governor of Illinois to be a day

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

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

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

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

14 (30 ILCS 500/15-45)

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

1 Day; Independence Day; Labor Day; General Election Day
2 ~~Columbus Day~~; Veterans' Day; Thanksgiving Day; Christmas Day;
3 and any other day from time to time declared by the President
4 of the United States or the Governor of Illinois to be a day
5 during which the agencies of the State of Illinois that are
6 ordinarily open to do business with the public shall be closed
7 for business.

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

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

15 Section 15. The School Code is amended by changing Section
16 24-2 as follows:

17 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

18 Sec. 24-2. Holidays.

19 (a) Teachers shall not be required to teach on Saturdays,
20 nor, except as provided in subsection (b) of this Section,
21 shall teachers or other school employees, other than
22 noncertificated school employees whose presence is necessary
23 because of an emergency or for the continued operation and
24 maintenance of school facilities or property, be required to

1 work on legal school holidays, which are January 1, New Year's
2 Day; the third Monday in January, the Birthday of Dr. Martin
3 Luther King, Jr.; February 12, the Birthday of President
4 Abraham Lincoln; the first Monday in March (to be known as
5 Casimir Pulaski's birthday); Good Friday; the day designated
6 as Memorial Day by federal law; June 19, Juneteenth National
7 Freedom Day; July 4, Independence Day; the first Monday in
8 September, Labor Day; the first Tuesday after the first Monday
9 in November, General Election Day ~~the second Monday in~~
10 ~~October, Columbus Day~~; November 11, Veterans' Day; the
11 Thursday in November commonly called Thanksgiving Day; and
12 December 25, Christmas Day. School boards may grant special
13 holidays whenever in their judgment such action is advisable.
14 No deduction shall be made from the time or compensation of a
15 school employee on account of any legal or special holiday.

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

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

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

13 (c) Commemorative holidays, which recognize specified
14 patriotic, civic, cultural or historical persons, activities,
15 or events, are regular school days. Commemorative holidays
16 are: January 17 (the birthday of Muhammad Ali), January 28 (to
17 be known as Christa McAuliffe Day and observed as a
18 commemoration of space exploration), February 15 (the birthday
19 of Susan B. Anthony), March 29 (Viet Nam War Veterans' Day),
20 September 11 (September 11th Day of Remembrance), the school
21 day immediately preceding Veterans' Day (Korean War Veterans'
22 Day), October 1 (Recycling Day), October 7 (Iraq and
23 Afghanistan Veterans Remembrance Day), December 7 (Pearl
24 Harbor Veterans' Day), and any day so appointed by the
25 President or Governor. School boards may establish
26 commemorative holidays whenever in their judgment such action

1 is advisable. School boards shall include instruction relative
2 to commemorated persons, activities, or events on the
3 commemorative holiday or at any other time during the school
4 year and at any point in the curriculum when such instruction
5 may be deemed appropriate. The State Board of Education shall
6 prepare and make available to school boards instructional
7 materials relative to commemorated persons, activities, or
8 events which may be used by school boards in conjunction with
9 any instruction provided pursuant to this paragraph.

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

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

26 Notwithstanding any other provision of State law to the

1 contrary, November 8, 2022 shall be a State holiday known as
2 2022 General Election Day and shall be observed throughout the
3 State under Public Act 102-15.

4 (Source: P.A. 101-642, eff. 6-16-20; 102-14, eff. 1-1-22;
5 102-15, eff. 6-17-21; 102-334, eff. 8-9-21; 102-411, eff.
6 1-1-22; 102-813, eff. 5-13-22.)

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

9 (205 ILCS 630/17) (from Ch. 17, par. 2201)

10 Sec. 17. Holidays.

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

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

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

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

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

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

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

24 (d) All legal holidays, the half holidays and any day
25 selected by a bank doing business within the State to remain
26 closed, shall, for all purposes whatsoever, as regards the

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

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

21 (f) Nothing in this Act shall in any manner affect the
22 validity of, or render void or voidable, the payment,
23 certification, or acceptance of a check or other negotiable
24 instrument, or any other transaction by a bank in this State,
25 because done or performed on any Saturday, Sunday, holiday, or
26 any day selected by a bank to remain closed, or during any time

1 other than regular banking hours; but no bank in this State,
2 which by law or custom is entitled to remain open or to close
3 for the whole or any part of any day selected by it to remain
4 open or to close, is compelled to close, or to remain open for
5 the transaction of business or to perform any of the acts or
6 transactions aforesaid except at its own option.

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

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.