



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3987

Introduced 2/23/2023, by Rep. Barbara Hernandez

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.

LRB103 29749 DTM 56155 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
18 by 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
7 first business day next following the day otherwise fixed as
8 the 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"
12 means 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, Juneteenth National
15 Freedom Day, Independence Day, Labor Day, Indigenous Peoples
16 Day ~~Columbus Day~~, Veterans' Day, Thanksgiving Day, Christmas
17 Day, and any other day from time to time declared by the
18 President of the United States or the Governor of Illinois to
19 be a day during which the agencies of the State of Illinois
20 that are ordinarily open to do business with the public shall
21 be closed for business.

22 (c) Notwithstanding any other provision of this Code,
23 nominating papers, petitions of objection to nominating
24 papers, certificates of withdrawal of candidacy, and reports
25 of political committees actually received by election
26 authorities and local election officials on a State holiday, a

1 Saturday, or a Sunday shall not be deemed invalid or defective
2 for that reason alone.

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

4 Section 20. The Illinois Procurement Code is amended by
5 changing Section 15-45 as follows:

6 (30 ILCS 500/15-45)

7 Sec. 15-45. Computation of days. The time within which any
8 act provided in this Code is to be done shall be computed by
9 excluding the first day and including the last, unless the
10 last day is Saturday or Sunday or is a holiday, and then it
11 shall also be excluded. If the day succeeding a Saturday,
12 Sunday, or holiday is also a holiday, a Saturday, or a Sunday,
13 then that succeeding day shall also be excluded. For the
14 purposes of this Code, "holiday" means: New Year's Day; Dr.
15 Martin Luther King, Jr.'s Birthday; Lincoln's Birthday;
16 President's Day; Memorial Day; Juneteenth National Freedom
17 Day; Independence Day; Labor Day; Indigenous Peoples Day
18 ~~Columbus Day~~; Veterans' Day; Thanksgiving Day; Christmas Day;
19 and any other day from time to time declared by the President
20 of the United States or the Governor of Illinois to be a day
21 during which the agencies of the State of Illinois that are
22 ordinarily open to do business with the public shall be closed
23 for business.

24 Notwithstanding any other provision of State law to the

1 contrary, November 3, 2020 shall be a State holiday known as
2 2020 General Election Day and shall be observed throughout the
3 State pursuant to this amendatory Act of the 101st General
4 Assembly.

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

7 Section 25. 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
22 as Memorial Day by federal law; June 19, Juneteenth National
23 Freedom Day; July 4, Independence Day; the first Monday in
24 September, Labor Day; the second Monday in October, Indigenous

1 ~~Peoples Day the second Monday in October, Columbus Day,~~
2 ~~November 11~~, Veterans' Day; the Thursday in November commonly
3 called Thanksgiving Day; and December 25, Christmas Day.
4 School boards may grant special holidays whenever in their
5 judgment such action is advisable. No deduction shall be made
6 from the time or compensation of a school employee on account
7 of any legal or special holiday.

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

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

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

1 the time, date, and place of the hearing, describe the
2 proposal, and indicate that the entity will take testimony
3 from educators and parents about the proposal.

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

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

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

17 Notwithstanding any other provision of State law to the
18 contrary, November 8, 2022 shall be a State holiday known as
19 2022 General Election Day and shall be observed throughout the
20 State under Public Act 102-15.

21 (Source: P.A. 101-642, eff. 6-16-20; 102-14, eff. 1-1-22;
22 102-15, eff. 6-17-21; 102-334, eff. 8-9-21; 102-411, eff.
23 1-1-22; 102-813, eff. 5-13-22.)

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

1 (205 ILCS 630/17) (from Ch. 17, par. 2201)

2 Sec. 17. Holidays.

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

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

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

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

10 the third Monday in February (Presidents Day);

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

13 the Friday preceding Easter Sunday (Good Friday);

14 the last Monday of May (Memorial Day);

15 the nineteenth day of June (Juneteenth National Freedom
16 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
23 in like manner, terminating or altering any such prior
24 selection shall be filed and published in the same manner as
25 such prior 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
5 copy of a resolution adopted by the board of directors
6 authorizing the bank to remain closed on such occasion and
7 notice of the intent to remain closed on such occasion shall be
8 conspicuously posted in the lobby of the main banking office
9 and any branches of such bank for at least 3 weeks in advance
10 of such occasion. Any day which any bank doing business within
11 the State shall select to remain closed pursuant to this
12 Section shall, with respect to such bank, be treated and
13 considered as a Sunday.

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

1 when 2 or more of these days come together, or immediately
2 succeeding each other, then such instruments, paper or
3 indebtedness shall be deemed as due or having matured on the
4 day following the last of such days.

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

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

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