



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB4654

by Rep. André M. Thapedi - Thaddeus Jones - Rita Mayfield -
Arthur Turner

SYNOPSIS AS INTRODUCED:

5 ILCS 490/61 new
10 ILCS 5/1-6
30 ILCS 500/15-45
105 ILCS 5/24-2
205 ILCS 630/17

from Ch. 122, par. 24-2
from Ch. 17, par. 2201

Amends the State Commemorative Dates Act. Designates President Barack Obama's date of birth, August 4, as a legal holiday on which to hold appropriate exercises in commemoration of him. Includes that when the day falls on a Sunday, the following Monday shall be held and considered the holiday. Amends the Election Code, the Illinois Procurement Code, the School Code, and the Promissory Note and Bank Holiday Act to include Barack Obama's birthday as a holiday. Effective immediately.

LRB099 19542 SMS 43937 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 adding Section 61 as follows:

6 (5 ILCS 490/61 new)

7 Sec. 61. Barack Obama's Birthday. The fourth day of August
8 of each year shall be a legal holiday to be known as Barack
9 Obama's Birthday to be observed as a day on which to hold
10 appropriate exercises in commemoration of our illustrious
11 President. When August fourth shall fall on a Sunday, the
12 following Monday shall be held and considered the holiday.

13 Section 10. The Election Code is amended by changing
14 Section 1-6 as follows:

15 (10 ILCS 5/1-6)

16 Sec. 1-6. Computing dates of various acts; Saturday,
17 Sunday, and holidays.

18 (a) If the first or last day fixed by law to do any act
19 required or allowed by this Code falls on a State holiday or a
20 Saturday or a Sunday, the period shall extend through the first
21 business day next following the day otherwise fixed as the

1 first or last day, irrespective of whether any election
2 authority or local election official conducts business on the
3 State holiday, Saturday, or Sunday.

4 (b) For the purposes of this Section, "State holiday" means
5 New Year's Day, Dr. Martin Luther King, Jr.'s Birthday,
6 Lincoln's Birthday, President's Day, Casimir Pulaski's
7 Birthday, Good Friday, Memorial Day, Independence Day, Barack
8 Obama's Birthday, Labor Day, Columbus Day, Veterans' Day,
9 Thanksgiving Day, Christmas Day, and any other day from time to
10 time declared by the President of the United States or the
11 Governor of Illinois to be a day during which the agencies of
12 the State of Illinois that are ordinarily open to do business
13 with the public shall be closed for business.

14 (c) Notwithstanding any other provision of this Code,
15 nominating papers, petitions of objection to nominating
16 papers, certificates of withdrawal of candidacy, and reports of
17 political committees actually received by election authorities
18 and local election officials on a State holiday, a Saturday, or
19 a Sunday shall not be deemed invalid or defective for that
20 reason alone.

21 (Source: P.A. 89-653, eff. 8-14-96; 90-672, eff. 7-31-98.)

22 Section 15. The Illinois Procurement Code is amended by
23 changing Section 15-45 as follows:

24 (30 ILCS 500/15-45)

1 Sec. 15-45. Computation of days. The time within which any
2 act provided in this Code is to be done shall be computed by
3 excluding the first day and including the last, unless the last
4 day is Saturday or Sunday or is a holiday, and then it shall
5 also be excluded. If the day succeeding a Saturday, Sunday, or
6 holiday is also a holiday, a Saturday, or a Sunday, then that
7 succeeding day shall also be excluded. For the purposes of this
8 Code, "holiday" means: New Year's Day; Dr. Martin Luther King,
9 Jr.'s Birthday; Lincoln's Birthday; President's Day; Memorial
10 Day; Independence Day; Barack Obama's Birthday; Labor Day;
11 Columbus Day; Veterans' Day; Thanksgiving Day; Christmas Day;
12 and any other day from time to time declared by the President
13 of the United States or the Governor of Illinois to be a day
14 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 (Source: P.A. 98-1076, eff. 1-1-15.)

18 Section 20. The School Code is amended by changing Section
19 24-2 as follows:

20 (105 ILCS 5/24-2) (from Ch. 122, par. 24-2)

21 Sec. 24-2. Holidays.

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

1 noncertificated school employees whose presence is necessary
2 because of an emergency or for the continued operation and
3 maintenance of school facilities or property, be required to
4 work on legal school holidays, which are January 1, New Year's
5 Day; the third Monday in January, the Birthday of Dr. Martin
6 Luther King, Jr.; February 12, the Birthday of President
7 Abraham Lincoln; the first Monday in March (to be known as
8 Casimir Pulaski's birthday); Good Friday; the day designated as
9 Memorial Day by federal law; July 4, Independence Day; August
10 4, the Birthday of President Barack Obama; the first Monday in
11 September, Labor Day; the second Monday in October, Columbus
12 Day; November 11, Veterans' Day; the Thursday in November
13 commonly called Thanksgiving Day; and December 25, Christmas
14 Day. School boards may grant special holidays whenever in their
15 judgment such action is advisable. No deduction shall be made
16 from the time or compensation of a school employee on account
17 of any legal or special holiday.

18 (b) A school board or other entity eligible to apply for
19 waivers and modifications under Section 2-3.25g of this Code is
20 authorized to hold school or schedule teachers' institutes,
21 parent-teacher conferences, or staff development on the third
22 Monday in January (the Birthday of Dr. Martin Luther King,
23 Jr.); February 12 (the Birthday of President Abraham Lincoln);
24 the first Monday in March (known as Casimir Pulaski's
25 birthday); the second Monday in October (Columbus Day); and
26 November 11 (Veterans' Day), provided 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 entity
8 shall provide notice preceding the public hearing to both
9 educators and parents. The notice shall set forth the time,
10 date, and place of the hearing, describe the proposal, and
11 indicate that the entity will take testimony from educators
12 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 are:
16 January 28 (to be known as Christa McAuliffe Day and observed
17 as a commemoration of space exploration), February 15 (the
18 birthday of Susan B. Anthony), March 29 (Viet Nam War Veterans'
19 Day), September 11 (September 11th Day of Remembrance), the
20 school day immediately preceding Veterans' Day (Korean War
21 Veterans' Day), October 1 (Recycling Day), October 7 (Iraq and
22 Afghanistan Veterans Remembrance Day), December 7 (Pearl
23 Harbor Veterans' Day), and any day so appointed by the
24 President or Governor. School boards may establish
25 commemorative holidays whenever in their judgment such action
26 is advisable. School boards shall include instruction relative

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

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

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

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

20 (205 ILCS 630/17) (from Ch. 17, par. 2201)

21 Sec. 17. Holidays.

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

1 the first day of January (New Year's Day);
2 the third Monday in January (observance of Martin Luther
3 King, Jr.'s birthday);
4 the twelfth day in February (Abraham Lincoln's birthday);
5 the third Monday in February (Presidents Day);
6 the first Monday in March (observance of Casimir Pulaski's
7 birthday);
8 the Friday preceding Easter Sunday (Good Friday);
9 the last Monday of May (Memorial Day);
10 the fourth day of July (Independence Day);
11 the fourth day of August (Barack Obama's birthday);
12 the first Monday in September (Labor Day);
13 the second Monday in October (Columbus Day);
14 the eleventh day of November (Veterans' Day);
15 the fourth Thursday in November (Thanksgiving Day);
16 the twenty-fifth day in December (Christmas Day);
17 the days upon which the general elections for members of
18 the House of Representatives are held, and any day proclaimed
19 by the Governor of this State as a legal holiday. From 12
20 o'clock noon to 12 o'clock midnight of each Saturday shall be
21 considered a half holiday. In addition to such holidays and
22 half-holidays, a bank may select one day of the week to remain
23 closed, as provided in subsection (b) of this Section.

24 (b) Any bank doing business within this State may select
25 any one day of the week to remain closed on a regular basis
26 upon adoption of a resolution by the board of directors of such

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

18 (c) If an occasion arises when a state bank wishes to
19 remain closed on a particular day, other than a day on which
20 the bank has selected to remain closed on a regular basis as
21 provided in this Section, such state bank may remain closed on
22 such an occasion after first sending to the Commissioner a copy
23 of a resolution adopted by the board of directors authorizing
24 the bank to remain closed on such occasion and notice of the
25 intent to remain closed on such occasion shall be conspicuously
26 posted in the lobby of the main banking office and any branches

1 of such bank for at least 3 weeks in advance of such occasion.
2 Any day which any bank doing business within the State shall
3 select to remain closed pursuant to this Section shall, with
4 respect to such bank, be treated and considered as a Sunday.

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

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

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

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.