

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 349

Introduced by McKinney, 11.

Read first time January 13, 2021

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and
- 2 62-301, Revised Statutes Cumulative Supplement, 2020; to establish
- 3 El-Hajj Malik El-Shabazz, Malcolm X Day; to change provisions
- 4 relating to holidays; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) May 19 of each year shall be El-Hajj Malik El-
2 Shabazz, Malcolm X Day, and shall be set apart for holding suitable
3 exercises in the schools of the state in recognition of the sacrifices of
4 the late El-Hajj Malik El-Shabazz, Malcolm X and his contributions to the
5 betterment of society.

6 (2) The Governor shall, prior to May 19 of each year, issue a
7 proclamation inviting and urging the people of the State of Nebraska to
8 observe El-Hajj Malik El-Shabazz, Malcolm X Day in schools and other
9 suitable places with appropriate ceremony and fellowship.

10 (3) The State Department of Education is directed to make, within
11 the limits of funds available for such purpose, information available to
12 the schools and all people of this state regarding El-Hajj Malik El-
13 Shabazz, Malcolm X Day and the observance thereof.

14 Sec. 2. Section 25-2221, Revised Statutes Cumulative Supplement,
15 2020, is amended to read:

16 25-2221 Except as may be otherwise more specifically provided, the
17 period of time within which an act is to be done in any action or
18 proceeding shall be computed by excluding the day of the act, event, or
19 default after which the designated period of time begins to run. The last
20 day of the period so computed shall be included unless it is a Saturday,
21 a Sunday, or a day during which the offices of courts of record may be
22 legally closed as provided in this section, in which event the period
23 shall run until the end of the next day on which the office will be open.

24 All courts and their offices may be closed on Saturdays, Sundays,
25 days on which a specifically designated court is closed by order of the
26 Chief Justice of the Supreme Court, and these holidays: New Year's Day,
27 January 1; Birthday of Martin Luther King, Jr., the third Monday in
28 January; President's Day, the third Monday in February; Arbor Day, the
29 last Friday in April; Birthday of El-Hajj Malik El-Shabazz, Malcolm X,
30 May 19; Memorial Day, the last Monday in May; Independence Day, July 4;
31 Labor Day, the first Monday in September; Indigenous Peoples' Day and

1 Columbus Day, the second Monday in October; Veterans Day, November 11;
2 Thanksgiving Day, the fourth Thursday in November; the day after
3 Thanksgiving; Christmas Day, December 25; and all days declared by law or
4 proclamation of the Governor to be holidays. Such days shall be
5 designated as nonjudicial days. If any such holiday falls on Sunday, the
6 following Monday shall be a holiday. If any such holiday falls on
7 Saturday, the preceding Friday shall be a holiday. Court services shall
8 be available on all other days. If the date designated by the state for
9 observance of any legal holiday pursuant to this section, except Veterans
10 Day, is different from the date of observance of such holiday pursuant to
11 a federal holiday schedule, the federal holiday schedule shall be
12 observed.

13 Sec. 3. Section 62-301, Revised Statutes Cumulative Supplement,
14 2020, is amended to read:

15 62-301 (1) For the purposes of the Uniform Commercial Code and
16 section 62-301.01, the following days shall be holidays: New Year's Day,
17 January 1; Birthday of Martin Luther King, Jr., the third Monday in
18 January; President's Day, the third Monday in February; Arbor Day, the
19 last Friday in April; Birthday of El-Hajj Malik El-Shabazz, Malcolm X,
20 May 19; Memorial Day, the last Monday in May; Independence Day, July 4;
21 Labor Day, the first Monday in September; Indigenous Peoples' Day and
22 Columbus Day, the second Monday in October; Veterans Day, November 11,
23 and the federally recognized holiday therefor, or either of them;
24 Thanksgiving Day, the fourth Thursday in November; the day after
25 Thanksgiving; and Christmas Day, December 25. If any such holiday falls
26 on Sunday, the following Monday shall be a holiday. If the date
27 designated by the state for observance of any legal holiday enumerated in
28 this section, except Veterans Day, is different from the date of
29 observance of such holiday pursuant to a federal holiday schedule, the
30 federal holiday schedule shall be observed.

31 (2) Any bank doing business in this state may, by a brief written

1 notice at, on, or near its front door, fully dispense with or restrict,
2 to such extent as it may determine, the hours within which it will be
3 open for business.

4 (3) Any bank may close on Saturday if it states such fact by a brief
5 written notice at, on, or near its front door. When such bank will, in
6 observance of such a notice, not be open for general business, such day
7 shall, with respect to the particular bank, be the equivalent of a
8 holiday as fully as if such day were listed in subsection (1) of this
9 section, and any act authorized, required, or permitted to be performed
10 at, by, or with respect to such bank which will, in observance of such
11 notice, not be open for general business, acting in its own behalf or in
12 any capacity whatever, may be performed on the next succeeding business
13 day and no liability or loss of rights on the part of any person shall
14 result from such delay.

15 (4) Any bank which, by the notice provided for by subsection (3) of
16 this section, has created the holiday for such bank may, without
17 destroying the legal effect of the holiday for it and solely for the
18 convenience of its customers, remain open all or part of such day in a
19 limited fashion by treating every transaction with its customers on such
20 day as though the transaction had taken place immediately upon the
21 opening of such bank on the first following business day.

22 (5) Whenever the word bank is used in this section it includes
23 building and loan association, savings and loan association, credit
24 union, savings bank, trust company, investment company, and any other
25 type of financial institution.

26 Sec. 4. Original sections 25-2221 and 62-301, Revised Statutes
27 Cumulative Supplement, 2020, are repealed.