

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 848

Introduced by Pansing Brooks, 28; Brewer, 43; Linehan, 39; McCollister,
20; Scheer, 19; Vargas, 7.

Read first time January 08, 2020

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to government; to amend sections 25-2221 and
- 2 62-301, Reissue Revised Statutes of Nebraska; to rename Columbus Day
- 3 as Indigenous Peoples' Day; and to repeal the original sections.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. The second Monday in October of each year shall be
2 Indigenous Peoples' Day and shall be set apart to recognize the historic,
3 cultural, and contemporary significance of the people indigenous to the
4 lands that are now known as the Americas, including Nebraska, and the
5 many contributions of such people. No business shall be transacted on
6 that day at any department of state.

7 Sec. 2. Section 25-2221, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 25-2221 Except as may be otherwise more specifically provided, the
10 period of time within which an act is to be done in any action or
11 proceeding shall be computed by excluding the day of the act, event, or
12 default after which the designated period of time begins to run. The last
13 day of the period so computed shall be included unless it is a Saturday,
14 a Sunday, or a day during which the offices of courts of record may be
15 legally closed as provided in this section, in which event the period
16 shall run until the end of the next day on which the office will be open.

17 All courts and their offices may be closed on Saturdays, Sundays,
18 days on which a specifically designated court is closed by order of the
19 Chief Justice of the Supreme Court, and these holidays: New Year's Day,
20 January 1; Birthday of Martin Luther King, Jr., the third Monday in
21 January; President's Day, the third Monday in February; Arbor Day, the
22 last Friday in April; Memorial Day, the last Monday in May; Independence
23 Day, July 4; Labor Day, the first Monday in September; Indigenous
24 Peoples' Columbus Day, the second Monday in October; Veterans Day,
25 November 11; Thanksgiving Day, the fourth Thursday in November; the day
26 after Thanksgiving; Christmas Day, December 25; and all days declared by
27 law or proclamation of the Governor to be holidays. Such days shall be
28 designated as nonjudicial days. If any such holiday falls on Sunday, the
29 following Monday shall be a holiday. If any such holiday falls on
30 Saturday, the preceding Friday shall be a holiday. Court services shall
31 be available on all other days. If the date designated by the state for

1 observance of any legal holiday pursuant to this section, except Veterans
2 Day, is different from the date of observance of such holiday pursuant to
3 a federal holiday schedule, the federal holiday schedule shall be
4 observed.

5 Sec. 3. Section 62-301, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 62-301 (1) For the purposes of the Uniform Commercial Code and
8 section 62-301.01, the following days shall be holidays: New Year's Day,
9 January 1; Birthday of Martin Luther King, Jr., the third Monday in
10 January; President's Day, the third Monday in February; Arbor Day, the
11 last Friday in April; Memorial Day, the last Monday in May; Independence
12 Day, July 4; Labor Day, the first Monday in September; Indigenous
13 Peoples' Columbus Day, the second Monday in October; Veterans Day,
14 November 11, and the federally recognized holiday therefor, or either of
15 them; Thanksgiving Day, the fourth Thursday in November; the day after
16 Thanksgiving; and Christmas Day, December 25. If any such holiday falls
17 on Sunday, the following Monday shall be a holiday. If the date
18 designated by the state for observance of any legal holiday enumerated in
19 this section, except Veterans Day, is different from the date of
20 observance of such holiday pursuant to a federal holiday schedule, the
21 federal holiday schedule shall be observed.

22 (2) Any bank doing business in this state may, by a brief written
23 notice at, on, or near its front door, fully dispense with or restrict,
24 to such extent as it may determine, the hours within which it will be
25 open for business.

26 (3) Any bank may close on Saturday if it states such fact by a brief
27 written notice at, on, or near its front door. When such bank will, in
28 observance of such a notice, not be open for general business, such day
29 shall, with respect to the particular bank, be the equivalent of a
30 holiday as fully as if such day were listed in subsection (1) of this
31 section, and any act authorized, required, or permitted to be performed

1 at, by, or with respect to such bank which will, in observance of such
2 notice, not be open for general business, acting in its own behalf or in
3 any capacity whatever, may be performed on the next succeeding business
4 day and no liability or loss of rights on the part of any person shall
5 result from such delay.

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

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

17 Sec. 4. Original sections 25-2221 and 62-301, Reissue Revised
18 Statutes of Nebraska, are repealed.