

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 29

FINAL READING

Introduced by Wayne, 13; Hunt, 8; Hansen, M., 26.

Read first time January 07, 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 change
- 3 provisions relating to holidays; to repeal the original sections;
- 4 and to declare an emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 25-2221, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 25-2221 Except as may be otherwise more specifically provided, the
4 period of time within which an act is to be done in any action or
5 proceeding shall be computed by excluding the day of the act, event, or
6 default after which the designated period of time begins to run. The last
7 day of the period so computed shall be included unless it is a Saturday,
8 a Sunday, or a day during which the offices of courts of record may be
9 legally closed as provided in this section, in which event the period
10 shall run until the end of the next day on which the office will be open.

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

30 Sec. 2. Section 62-301, Revised Statutes Cumulative Supplement,
31 2020, is amended to read:

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

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

21 (3) Any bank may close on Saturday if it states such fact by a brief
22 written notice at, on, or near its front door. When such bank will, in
23 observance of such a notice, not be open for general business, such day
24 shall, with respect to the particular bank, be the equivalent of a
25 holiday as fully as if such day were listed in subsection (1) of this
26 section, and any act authorized, required, or permitted to be performed
27 at, by, or with respect to such bank which will, in observance of such
28 notice, not be open for general business, acting in its own behalf or in
29 any capacity whatever, may be performed on the next succeeding business
30 day and no liability or loss of rights on the part of any person shall
31 result from such delay.

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

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

12 Sec. 3. Original sections 25-2221 and 62-301, Revised Statutes
13 Cumulative Supplement, 2020, are repealed.

14 Sec. 4. Since an emergency exists, this act takes effect when
15 passed and approved according to law.