

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 29

Introduced by Wayne, 13.

Read first time January 07, 2021

Committee:

- 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; and to repeal the original
- 4 sections.
- 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 June 19; Independence Day, July 4; Labor Day, the first Monday in
18 September; Indigenous Peoples' Day and Columbus Day, the second Monday in
19 October; Veterans Day, November 11; Thanksgiving Day, the fourth Thursday
20 in November; the day after Thanksgiving; Christmas Day, December 25; and
21 all days declared by law or proclamation of the Governor to be holidays.
22 Such days shall be designated as nonjudicial days. If any such holiday
23 falls on Sunday, the following Monday shall be a holiday. If any such
24 holiday falls on Saturday, the preceding Friday shall be a holiday. Court
25 services shall be available on all other days. If the date designated by
26 the state for observance of any legal holiday pursuant to this section,
27 except Veterans Day, is different from the date of observance of such
28 holiday pursuant to a federal holiday schedule, the federal holiday
29 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 June 19; Independence Day, July 4; Labor Day, the first Monday in
7 September; Indigenous Peoples' Day and Columbus Day, the second Monday in
8 October; Veterans Day, November 11, and the federally recognized holiday
9 therefor, or either of them; Thanksgiving Day, the fourth Thursday in
10 November; the day after Thanksgiving; and Christmas Day, December 25. If
11 any such holiday falls on Sunday, the following Monday shall be a
12 holiday. If the date designated by the state for observance of any legal
13 holiday enumerated in this section, except Veterans Day, is different
14 from the date of observance of such holiday pursuant to a federal holiday
15 schedule, the federal holiday schedule shall be observed.

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

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

31 (4) Any bank which, by the notice provided for by subsection (3) of

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

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

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