

HOUSE BILL 157

P1
HB 895/20 – HGO

(PRE-FILED)

1lr1082
CF 1lr1838

By: **Delegate W. Fisher**

Requested: October 22, 2020

Introduced and read first time: January 13, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Indigenous Peoples' Day – Rule of Interpretation and Replacement of Columbus**
3 **Day**

4 FOR the purpose of replacing references to Columbus Day in certain provisions of law with
5 references to Indigenous Peoples' Day; establishing a rule of interpretation to specify
6 the day on which Indigenous Peoples' Day is to be observed; and generally relating
7 to Indigenous Peoples' Day.

8 BY repealing and reenacting, without amendments,
9 Article – Commercial Law
10 Section 14–301(a)
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2020 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Commercial Law
15 Section 14–301(b)
16 Annotated Code of Maryland
17 (2013 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 7–103(c)(3)
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2020 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Financial Institutions
25 Section 5–705
26 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2020 Replacement Volume and 2020 Supplement)

2 BY repealing and reenacting, with amendments,
3 Article – General Provisions
4 Section 1–111
5 Annotated Code of Maryland
6 (2019 Replacement Volume and 2020 Supplement)

7 BY adding to
8 Article – General Provisions
9 Section 1–111.1
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2020 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Personnel and Pensions
14 Section 9–201
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2020 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
18 That the Laws of Maryland read as follows:

19 **Article – Commercial Law**

20 14–301.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) “Business day” means any calendar day except Sunday or the following
23 business holidays: New Year’s Day, Washington’s Birthday, Memorial Day, Independence
24 Day, Labor Day, [Columbus Day] **INDIGENOUS PEOPLES’ DAY**, Veterans’ Day,
25 Thanksgiving Day, and Christmas Day.

26 **Article – Education**

27 7–103.

28 (c) (3) The public schools shall devote a part of at least one day to appropriate
29 exercises for each of the following:

30 (i) Washington’s Birthday;

31 (ii) Lincoln’s Birthday;

32 (iii) Veterans’ Day;

- 1 (iv) [Columbus Day] **INDIGENOUS PEOPLES' DAY**;
- 2 (v) Arbor Day;
- 3 (vi) Black History Month, with an emphasis on Harriet Tubman and
4 Frederick Douglass and the contributions they made in the fight against slavery; and
- 5 (vii) Any other day of national significance.

6 **Article – Financial Institutions**

7 5–705.

8 (a) (1) Subject to paragraph (2) of this subsection, each banking institution
9 shall be closed on the following legal holidays:

- 10 (i) New Year's Day;
- 11 (ii) Dr. Martin Luther King, Jr.'s Birthday;
- 12 (iii) Washington's Birthday;
- 13 (iv) Good Friday;
- 14 (v) Memorial Day;
- 15 (vi) Independence Day;
- 16 (vii) Labor Day;
- 17 (viii) [Columbus Day] **INDIGENOUS PEOPLES' DAY**;
- 18 (ix) Veterans' Day;
- 19 (x) Thanksgiving Day; and
- 20 (xi) Christmas Day.

21 (2) (i) When a legal holiday differs from the corresponding federal
22 holiday, a banking institution:

- 23 1. May be closed on both holidays; and
- 24 2. Shall be closed on one of the holidays.

25 (ii) When there is no corresponding federal holiday for a legal
26 holiday listed in paragraph (1) of this subsection, a banking institution:

1 1. May be closed on the legal holiday; or

2 2. May remain open on the legal holiday.

3 (b) (1) Each legal holiday that is not listed in subsection (a) of this section is
4 an optional bank holiday.

5 (2) When, as to any optional bank holiday, the legal holiday differs from
6 the corresponding federal holiday, a banking institution may be closed on:

7 (i) Both holidays;

8 (ii) The legal holiday; or

9 (iii) The federal holiday.

10 Article – General Provisions

11 1–111.

12 (a) In this Code and any regulation or directive adopted under it, “legal holiday”
13 means:

14 (1) January 1, for New Year’s Day;

15 (2) (i) January 15, for Dr. Martin Luther King, Jr.’s birthday; or

16 (ii) if the United States Congress designates another day for
17 observance of Dr. Martin Luther King, Jr.’s birthday, the day designated by the United
18 States Congress;

19 (3) February 12, for Lincoln’s birthday;

20 (4) the third Monday in February, for Washington’s birthday;

21 (5) March 25, for Maryland Day;

22 (6) Good Friday;

23 (7) (i) May 30, for Memorial Day; or

24 (ii) if the United States Congress designates another day for
25 observance of Memorial Day, the day designated by the United States Congress;

26 (8) July 4, for Independence Day;

1 (9) the first Monday in September, for Labor Day;

2 (10) September 12, for Defenders' Day;

3 (11) [(i) October 12, for Columbus Day; or

4 (ii) if the United States Congress designates another day for
5 observance of Columbus Day, the day designated by the United States Congress]
6 **INDIGENOUS PEOPLES' DAY;**

7 (12) November 11, for Veterans' Day;

8 (13) the fourth Thursday in November, for Thanksgiving Day;

9 (14) the Friday after Thanksgiving Day, for American Indian Heritage Day;

10 (15) December 25, for Christmas Day;

11 (16) each statewide general election day in the State; and

12 (17) each other day that the President of the United States or the Governor
13 designates for general cessation of business.

14 (b) Except as otherwise expressly provided in the Code, a legal holiday shall be
15 observed on:

16 (1) the date specified in subsection (a) of this section; or

17 (2) if that date falls on a Sunday, on the next Monday after that date.

18 **1-111.1.**

19 **EXCEPT AS OTHERWISE PROVIDED IN THE CODE, INDIGENOUS PEOPLES' DAY**
20 **SHALL BE OBSERVED ON:**

21 **(1) OCTOBER 12; OR**

22 **(2) IF THE UNITED STATES CONGRESS DESIGNATES ANOTHER DAY**
23 **FOR THE OBSERVANCE OF COLUMBUS DAY, THE DAY DESIGNATED BY THE UNITED**
24 **STATES CONGRESS.**

25 **Article – State Personnel and Pensions**

26 9-201.

27 In this title, "employee holiday" includes:

1 (1) January 1, for New Year's Day;

2 (2) January 15, for Dr. Martin Luther King, Jr.'s birthday, unless the
3 United States Congress designates another day for observance of that legal holiday, in
4 which case, the day designated by the United States Congress;

5 (3) the third Monday in February, for Presidents' Day;

6 (4) May 30, for Memorial Day, unless the United States Congress
7 designates another day for observance of that legal holiday, in which case, the day
8 designated by the United States Congress;

9 (5) July 4, for Independence Day;

10 (6) the first Monday in September, for Labor Day;

11 (7) [October 12, for Columbus Day, unless the United States Congress
12 designates another day for observance of that legal holiday, in which case, the day
13 designated by the United States Congress] **INDIGENOUS PEOPLES' DAY**;

14 (8) November 11, for Veterans' Day;

15 (9) the fourth Thursday in November, for Thanksgiving Day;

16 (10) the Friday after Thanksgiving Day, for American Indian Heritage Day;

17 (11) December 25, for Christmas Day;

18 (12) each statewide general election day in this State; and

19 (13) each other day that the President of the United States or the Governor
20 designates for general cessation of business.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2021.