

# HOUSE BILL NO. 5451

February 04, 2020, Introduced by Reps. Guerra, Love, Hope, Tate, Kuppa, Stone, Byrd, Cynthia Johnson, Garrett, Gay-Dagnogo, Yancey, Tyrone Carter and Jones and referred to the Committee on Elections and Ethics.

A bill to amend 1865 PA 124, entitled

"An act to designate the holidays to be observed in acceptance and payment of bills of exchange, bank checks and promissory notes, the business of banking, savings and loan, building and loan, municipal offices, the holding of courts and relative to the continuance of suits,"

by amending section 1 (MCL 435.101), as amended by 1984 PA 4.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1           Sec. 1. (1) The following ~~days namely:~~ shall be considered and
- 2 treated as the first day of the week, commonly called Sunday, and
- 3 as public holidays or, if so designated, half-holidays:



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1 (a) January 1, New Year's ~~day; the~~ **Day**.

2 (b) **The** third Monday ~~in of~~ January in conjunction with the  
3 federal holiday, Martin Luther King, Jr. ~~day; Day~~.

4 (c) February 12, Lincoln's ~~birthday; the~~ **Birth**day.

5 (d) **The** third Monday of February, Washington's ~~birthday; the~~  
6 **Birth**day.

7 (e) **The** last Monday of May, Memorial or Decoration ~~day; Day~~.

8 (f) July 4. ~~the~~

9 (g) **The** first Monday ~~in of~~ September, Labor ~~day; the~~ **Day**.

10 (h) **The** second Monday ~~in of~~ October, Columbus ~~day; Day~~.

11 (i) November 11, Veterans' ~~day; Day~~.

12 (j) December 25, Christmas ~~day; every~~ **Day**.

13 (k) **Every** Saturday from 12 noon until 12 midnight, which is  
14 designated a ~~half holiday; and the~~ **half-holiday**.

15 (l) **The** fourth Thursday of November, Thanksgiving ~~day; Day~~.

16 (m) **Every day that falls on a date established as a regular**  
17 **election date in section 641 of the Michigan election law, 1954 PA**  
18 **116, MCL 168.641. For holidays established by this subdivision, all**  
19 **employers are encouraged to give their employees at least a half**  
20 **day of paid leave to ensure a sufficient opportunity to vote.**

21 (2) **Subsection (1) applies** for all purposes regarding the  
22 presenting for payment or acceptance, and the protesting and giving  
23 notice of the dishonor of, bills of exchange, bank checks, and  
24 promissory notes, ~~also and~~ for the holding of courts, except as  
25 otherwise provided in this act. ~~, shall be treated and considered~~  
26 ~~as the first day of the week, commonly called Sunday, and as public~~  
27 ~~holidays or half holidays. Bills, checks, and notes otherwise~~  
28 ~~presentable for acceptance of payment on these~~ **the days described**  
29 **in subsection (1)** shall be considered as payable and presentable



1 for acceptance or payment on the next secular or business day  
2 following the holiday or ~~half-holiday~~. **half-holiday**.

3 (3) A law in this state ~~shall~~ **does** not affect the validity of,  
4 or render void or voidable, the payment, certification, or  
5 acceptance of a check or other negotiable instrument or any other  
6 transaction by a bank in this state, because done or performed on a  
7 Saturday between 12 noon and **12** midnight, if the payment,  
8 certification, acceptance, or other transaction would be valid if  
9 done or performed before 12 noon on that Saturday. This act does  
10 not compel a bank, savings and loan association, or building and  
11 loan association in this state, which by law or custom is entitled  
12 to close at 12 noon on a Saturday, to keep open for the transaction  
13 of business or to perform the acts or transactions described in  
14 this section, on a Saturday after that hour except at its own  
15 option. ~~in construing~~ **Under** this section, every Saturday, unless a  
16 whole holiday, shall for the holding of court and the transaction  
17 of business authorized by the laws of this state be considered a  
18 secular or business day.

19 (4) If the return or adjourn day in an action, matter, or  
20 hearing before a court, officer, referee, or ~~arbitrators,~~  
21 **arbitrator** falls on any of the days mentioned in this section  
22 except Sunday, then that action, matter, or proceeding, commenced  
23 or adjourned, shall not, by reason of coming on any of those days  
24 except Sunday, abate, but shall stand continued on the next  
25 succeeding day, at the same time and place unless the next day is  
26 the first day of the week, or a holiday, in which case it shall  
27 stand continued to the day succeeding the first day of the week or  
28 holiday, at the same time and place. ~~When~~ **If** the first day of the  
29 general term of a circuit court, as ~~fixed~~ **established** by the order



1 of a circuit judge, falls upon ~~either of the days~~ **a day** mentioned  
 2 in this section or ~~when~~ **if** a circuit court is adjourned to a day  
 3 mentioned in this section, that court may be adjourned to the  
 4 following secular day.

5 (5) This act ~~shall not prevent~~ **does not prohibit** or invalidate  
 6 the entry, issuance, service, or execution of a writ, summons, or  
 7 confession of judgment, or other legal process, the holding **of**  
 8 courts or the transaction of lawful business except banking on any  
 9 of the Saturday afternoons designated in this act as ~~half holidays,~~  
 10 ~~nor shall this act prevent~~ **half-holidays. This act does not**  
 11 **prohibit** a bank, savings and loan association, or building and loan  
 12 association from keeping its doors open or transacting its business  
 13 on Saturday afternoons, if by vote of its directors it elects to do  
 14 so.

15 (6) The legislative body of a county or city may, by ordinance  
 16 or resolution, provide for the closing of county or municipal  
 17 offices for any ~~or for all purposes~~ **purpose** on ~~every~~  
 18 ~~Saturday.~~ **Saturday.**

19 (7) This act ~~shall~~ **does** not affect state employees working on  
 20 a Sunday in accordance with their employment as construed by the  
 21 civil service commission.

22 Enacting section 1. This amendatory act takes effect 90 days  
 23 after the date it is enacted into law.

