

# HOUSE BILL NO. 6408

September 22, 2022, Introduced by Rep. Berman and referred to the Committee on Government Operations.

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: must be considered and~~  
2 **treated as the first day of the week, commonly called Sunday, and**  
3 **as public holidays or half holidays:**

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

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

3           **(c)** February 12, Lincoln's ~~birthday;~~**the Birthday.**

4           **(d) The** third Monday of February, Washington's ~~birthday;~~**the**  
5 **Birthday.**

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

7           **(f)** July 4. ~~;~~**the**

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

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

10          **(i) The first Tuesday after the first Monday in November in**  
11 **each even-numbered year, General Election Day.**

12          **(j)** November 11, Veterans' ~~day;~~**Day.**

13          **(k)** December 25, Christmas ~~day;~~**every Day.**

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

16          **(m) The** fourth Thursday of November, Thanksgiving ~~day;~~**Day.**

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

28          **(3)** A law in this state ~~shall~~**does** not affect the validity of,  
29 or render void or voidable, the payment, certification, or

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

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

1 the following secular day.

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

11       (6) The legislative body of a county or city may, by ordinance  
12 or resolution, provide for the closing of county or municipal  
13 offices for any or for all purposes on every Saturday.

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