LEGAL HOLIDAYS

Act 124 of 1865

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.

History: 1865, Act 124, Eff. June 22, 1865 ;-- Am. 1919, Act 335, Eff. Aug. 14, 1919 ;-- Am. 1948, 1st Ex. Sess., Act 33, Eff. Aug. 20, 1948

The People of the State of Michigan enact:

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435.101 Public holidays as to bills, checks, notes, and holding of courts; validity of bank transactions performed on Saturday; holding court or transacting business on Saturday; continuation of action, matter, or proceeding; adjournment of circuit court to secular day; validity of legal process, holding courts, or transaction of business on Saturday afternoons; closing of county or municipal offices on Saturday; state employees working on Sunday.

Sec. 1.

(1) The following days are considered and treated as the first day of the week, commonly called Sunday, and as public holidays or half-holidays:

(a) January 1, New Year's Day.

(b) The third Monday of January in conjunction with the federal holiday, Martin Luther King, Jr. Day.

(c) February 12, Lincoln's Birthday.

(d) The third Monday of February, Washington's Birthday.

(e) The last Monday of May, Memorial or Decoration Day.

(f) June 19, Juneteenth.

(g) July 4, Independence Day.

(h) The first Monday of September, Labor Day.

(i) The second Monday of October, Columbus Day.

(j) November 11, Veterans Day.

(k) The fourth Thursday of November, Thanksgiving Day.

(l) December 25, Christmas Day.

(m) Every Saturday from 12 noon until 12 midnight, which is designated a half-holiday.

(2) Subsection (1) applies for all purposes regarding the presenting for payment or acceptance, and the protesting and giving notice of the dishonor of bills of exchange, bank checks, and promissory notes, and for the holding of courts, except as otherwise provided in this act. Bills, checks, and notes otherwise presentable for acceptance of payment on a day described in subsection (1) are payable and presentable for acceptance or payment on the next secular or business day succeeding the holiday or half-holiday.

(3) A law in this state does not affect the validity of, or render void or voidable, the payment, certification, or acceptance of a check or other negotiable instrument or any other transaction by a bank in this state because the payment, certification, acceptance, or other transaction was done or performed on a Saturday between 12 noon and 12 midnight, if the payment, certification, acceptance, or other transaction would be valid if done or performed before 12 noon on that Saturday.

(4) This act does not compel a bank, savings and loan association, or building and loan association in this state that by law or custom is entitled to close at 12 noon on a Saturday to remain open for the transaction of business or to perform the acts or transactions described in this section on a Saturday after that hour except at its own option.

(5) Under this section, every Saturday, unless a whole holiday, must for the holding of court and the transaction of business authorized by the laws of this state be considered a secular or business day.

(6) If the return or adjourn day in an action, matter, hearing, or proceeding before a court, officer, referee, or arbitrator falls on a day described in subsection (1) except a Sunday, then that action, matter, hearing, or proceeding, commenced or adjourned, does not, by reason of falling on any of those days except a Sunday, abate, but stands continued on the next day at the same time and place unless that next succeeding day is the first day of the week or a holiday, in which case it stands continued to the day next succeeding the first day of the week or holiday at the same time and place.

(7) If the first day of the general term of a circuit court, as established by the order of a circuit judge, falls on a day described in subsection (1) or if a circuit court is adjourned to a day described in subsection (1), that court may be adjourned to the next succeeding secular day.

(8) This act does not prohibit or invalidate the entry, issuance, service, or execution of a writ, summons, confession of judgment, or other legal process; the holding of court; or the transaction of lawful business except banking on any of the Saturday afternoons designated in this act as half-holidays.

(9) This act does not prohibit a bank, savings and loan association, or building and loan association from remaining open or transacting its business on Saturday afternoons, if by vote of its directors it elects to do so.

(10) The legislative body of a county or city may, by ordinance or resolution, provide for the closing of county or municipal offices for any purpose on Saturdays.

(11) This act does not affect state employees working on a Sunday in accordance with their employment as construed by the civil service commission.

History: 1865, Act 124, Eff. June 22, 1865 ;-- Am. 1871, Act 28, Eff. July 18, 1871 ;-- CL 1871, 1559 ;-- Am. 1875, Act 163, Imd. Eff. Apr. 29, 1875 ;-- Am. 1881, Act 208, Eff. Sept. 10, 1881 ;-- How. 1591 ;-- Am. 1893, Act 77, Eff. Aug. 28, 1893 ;-- Am. 1893, Act 185, Eff. Aug. 28, 1893 ;-- CL 1897, 4880 ;-- Am. 1903, Act 254, Eff. Sept. 17, 1903 ;-- Am. 1905, Act 35, Imd. Eff. Mar. 29, 1905 ;-- Am. 1909, Act 246, Eff. Sept. 1, 1909 ;-- CL 1915, 6232 ;-- Am. 1919, Act 335, Eff. Aug. 14, 1919 ;-- Am. 1929, Act 155, Imd. Eff. May 20, 1929 ;-- CL 1929, 9085 ;-- Am. 1935, Act 101, Imd. Eff. May 28, 1935 ;-- Am. 1945, Act 97, Eff. Sept. 6, 1945 ;-- Am. 1946, 2nd Ex. Sess., Act 2, Imd. Eff. July 15, 1946 ;-- Am. 1948, 1st Ex. Sess., Act 33, Eff. Aug. 20, 1948 ;-- CL 1948, 435.101 ;-- Am. 1955, Act 93, Eff. Oct. 14, 1955 ;-- Am. 1969, Act 12, Eff. Jan. 1, 1971 ;-- Am. 1973, Act 13, Imd. Eff. Apr. 18, 1973 ;-- Am. 1974, Act 9, Imd. Eff. Feb. 5, 1974 ;-- Am. 1977, Act 136, Imd. Eff. Nov. 7, 1977 ;-- Am. 1984, Act 4, Imd. Eff. Feb. 1, 1984 ;-- Am. 2023, Act 54, Imd. Eff. July 12, 2023

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435.102 Monday deemed public holiday where certain holidays fall on Sunday; presentation of bills, checks, and notes.

Sec. 2.

When January 1, February 12, June 19, July 4, November 11, or December 25 is a Sunday, the next succeeding Monday is a public holiday for the purposes aforesaid. A bill of exchange, check, or promissory note that would otherwise be presentable for acceptance or payment on a Monday described in this section is presentable for acceptance or payment on the next succeeding secular or business day.

History: Add. 1893, Act 185, Eff. Aug. 28, 1893 ;-- CL 1897, 4881 ;-- Am. 1909, Act 246, Eff. Sept. 1, 1909 ;-- CL 1915, 6233 ;-- CL 1929, 9086 ;-- Am. 1935, Act 101, Imd. Eff. May 28, 1935 ;-- Am. 1948, 1st Ex. Sess., Act 33, Eff. Aug. 20, 1948 ;-- CL 1948, 435.102 ;-- Am. 1955, Act 93, Eff. Oct. 14, 1955 ;-- Am. 1969, Act 12, Eff. Jan. 1, 1971 ;-- Am. 1973, Act 97, Imd. Eff. Aug. 8, 1973 ;-- Am. 2023, Act 54, Imd. Eff. July 12, 2023

435.103 Saturday closing for banks, savings and loan associations and building and loan associations.

Sec. 3.

In addition to the holidays and half-holidays designated in section 1 of this act, and notwithstanding the provisions of any other law of this state to the contrary, any one or more Saturdays up to 12 o'clock noon upon which a bank, savings and loan association, and building and loan association, as hereinafter defined, may desire to close as hereinafter provided, is hereby designated a holiday for such bank, savings and loan association, and building and loan association for such period and shall for all purposes whatever as regards the presenting for payment or acceptance, and the protesting and giving notice of the dishonor of bills of exchange, bank checks and promissory notes, after this act shall take effect, but for no other purpose be treated and considered as the first day of the week, commonly called Sunday. All such bills, checks and notes otherwise presentable for acceptance or payment on any such holiday shall be deemed to be payable and presentable for acceptance or payment on the secular or business day next succeeding such holiday.

The terms "bank", "savings and loan association" or "building and loan association" as used in this section shall

mean any bank, savings and loan association or building and loan association organized under the laws of this state, any partnership or individual conducting a legally authorized private banking business, any national bank or federal savings and loan association and any federal reserve bank or branch thereof.

Any bank, savings and loan association or building and loan association desiring to close as aforesaid shall install a night depository before so doing.

Any bank, savings and loan association or building and loan association desiring to close as aforesaid shall adopt a resolution to that effect concurred in by a majority of its board of directors, or if a private bank by a majority of its partners or by all of them if there be no more than 2 partners, notice of which shall be posted in its banking house or place of doing business for not less than 15 days before the taking effect thereof.

History: Add. 1948, 1st Ex. Sess., Act 33, Eff. Aug. 20, 1948 ;-- CL 1948, 435.103

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