

SENATE BILL NO. 74

February 02, 2021, Introduced by Senators SANTANA, MOSS, GEISS, MCCANN, BAYER, WOJNO, POLEHANKI, BULLOCK, CHANG, ALEXANDER, BRINKS and HOLLIER 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. 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:**

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

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

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

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

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

(f) July 4. ~~the~~

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

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

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

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

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

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

(m) **June 19, Juneteenth**.

(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, ~~also and~~ for the holding of courts, except as otherwise provided in this act. ~~, shall be treated and considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays. Bills, checks, and notes otherwise presentable for acceptance of payment on these the days shall be considered as described in subsection (1) must be payable and presentable for acceptance or payment on the next secular or business day following the holiday or half holiday.~~

(3) A law in this state ~~shall~~ **does** not affect the validity of, 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.