

# SENATE BILL No. 366

April 25, 1989, Introduced by Senators CROPSEY, BARCIA, GEO. HART, KELLY, FAUST, DI NELLO, FREDRICKS, CRUCE, SCHWARZ, O'BRIEN, V. SMITH, WELBORN, N. SMITH and DINGELL and referred to the Committee on State Affairs, Tourism, and Transportation.

A bill to amend section 1 of Act No. 124 of the Public Acts of 1865, entitled as amended

"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,"

as amended by Act No. 4 of the Public Acts of 1984, being section 435.101 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 1 of Act No. 124 of the Public Acts of  
2       1865, as amended by Act No. 4 of the Public Acts of 1984, being  
3       section 435.101 of the Michigan Compiled Laws, is amended to read  
4       as follows:

5       Sec. 1. The following days, namely: January 1, New Year's  
6       day; the third Monday in January in conjunction with the federal  
7       holiday, Martin Luther King, Jr. day; February 12, Lincoln's

1 birthday; the third Monday of February, Washington's birthday;  
2 ~~the last Monday of~~ May 30, Memorial or Decoration day; July 4;  
3 the first Monday in September, Labor day; the second Monday in  
4 October, Columbus day; November 11, Veterans' day; December 25,  
5 Christmas day; every Saturday from 12 noon until 12 midnight,  
6 which is designated a half holiday; and the fourth Thursday of  
7 November, Thanksgiving day, for all purposes regarding the  
8 presenting for payment or acceptance, and the protesting and  
9 giving notice of the dishonor of bills of exchange, bank checks,  
10 and promissory notes, also for the holding of courts, except as  
11 otherwise provided in this act, shall be treated and considered  
12 as the first day of the week, commonly called Sunday, and as  
13 public holidays or half holidays. Bills, checks, and notes oth-  
14 erwise presentable for acceptance of payment on these days shall  
15 be considered as payable and presentable for acceptance or pay-  
16 ment on the next secular or business day following the holiday or  
17 half holiday. A law in this state shall not affect the validity  
18 of, or render void or voidable, the payment, certification, or  
19 acceptance of a check or other negotiable instrument or any other  
20 transaction by a bank in this state, because done or performed on  
21 a Saturday between 12 noon and midnight, if the payment, certifi-  
22 cation, acceptance, or other transaction would be valid if done  
23 or performed before 12 noon on that Saturday. This act does not  
24 compel a bank, savings and loan association, or building and loan  
25 association in this state, which by law or custom is entitled to  
26 close at 12 noon on a Saturday, to keep open for the transaction  
27 of business or to perform the acts or transactions described in

1 this section, on a Saturday after that hour except at its own  
2 option in construing this section, every Saturday, unless a whole  
3 holiday, shall for the holding of court and the transaction of  
4 business authorized by the laws of this state be considered a  
5 secular or business day. If the return or adjourn day in an  
6 action, matter, or hearing before a court, officer, referee, or  
7 arbitrators, falls on any of the days mentioned in this section  
8 except Sunday, then that action, matter, or proceeding, commenced  
9 or adjourned, shall not, by reason of coming on any of those days  
10 except Sunday, abate, but shall stand continued on the next suc-  
11 ceeding day, at the same time and place unless the next day is  
12 the first day of the week, or a holiday, in which case it shall  
13 stand continued to the day succeeding the first day of the week  
14 or holiday, at the same time and place. ~~When~~ IF the first day  
15 of the general term of a circuit court, as fixed by the order of  
16 a circuit judge, falls upon either of the days mentioned in this  
17 section or when a circuit court is adjourned to a day mentioned  
18 in this section, that court may be adjourned to the following  
19 secular day. This act shall not prevent or invalidate the entry,  
20 issuance, service, or execution of a writ, summons, or confession  
21 of judgment, or other legal process, the holding courts or the  
22 transaction of lawful business except banking on any of the  
23 Saturday afternoons designated in this act as half holidays, nor  
24 shall this act prevent a bank, savings and loan association, or  
25 building and loan association from keeping its doors open or  
26 transacting its business on Saturday afternoons, if by vote of  
27 its directors it elects to do so. The legislative body of a

1 county or city may, by ordinance or resolution, provide for the  
2 closing of county or municipal offices for any or for all pur-  
3 poses on every Saturday. This act shall not affect state employ-  
4 ees working on a Sunday in accordance with their employment as  
5 construed by the civil service commission.