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## BILL ANALYSIS

Telephone: (517) 373-5383  
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Senate Bill 74 (as introduced 2-21-21)  
Senate Bill 355 (as introduced 4-14-21)  
Sponsor: Senator Sylvia Santana  
Committee: Regulatory Reform

Date Completed: 6-8-21

### **CONTENT**

**Senate Bill 74 would amend Public Act 124 of 1865 to include June 19 (Juneteenth) in a list of days that must be considered and treated as the first day of the week, commonly called Sunday, and as public holidays or half holidays.**

**Senate Bill 355 would amend the Michigan Fireworks Safety Act to prohibit a local unit of government from enacting an ordinance prohibiting ignition, discharge, or use of consumer fireworks on June 18 and June 19 until 11:45 PM on each of those days.**

Senate Bill 355 is tie-barred to Senate Bill 74.

### **Senate Bill 74**

Public Act 124 of 1865 lists days that, 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, generally, for the holding of courts, must be treated as the first day of the week, commonly called Sunday, and as public holidays or half holidays. These days include, for example, January 1 (New Year's Day), the third Monday in January (Martin Luther King, Jr. Day), November 11 (Veterans' Day), and Christmas Day. The bill would include June 19 (Juneteenth) in this list.

### **Senate Bill 355**

The Michigan Fireworks Safety Act prohibits a local unit of government from enacting or enforcing an ordinance, code, or regulation pertaining to or regulating the sale, display, storage, transportation, or distribution of fireworks. However, a local unit of government may enact an ordinance to regulate the ignition, discharge, and use of consumer fireworks, including an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. If a local unit of government enacts this type of an ordinance, it may not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 AM:

- December 31, until 1:00 AM on January 1.
- The Saturday and Sunday immediately before Memorial Day until 11:45 PM on those days.
- June 29 to July 4 until 11:45 PM on each of those days.
- July 5, if that date is a Friday or Saturday, until 11:45 PM on each of those days.
- The Saturday and Sunday immediately before Labor Day, until 11:45 PM on each of those days.

The bill also would prohibit a local unit of government from enacting an ordinance prohibiting ignition, discharge, or use of consumer fireworks on June 18 and June 19 until 11:45 PM on each of those days.

MCL 435.101 (S.B. 74)  
28.457 (S.B. 355)

## **BACKGROUND**

Juneteenth, also known as Jubilee Day or Emancipation Day, is on June 19. Juneteenth commemorates the day when Union troops arrived in Galveston, Texas in 1865 to take control of the state and to enforce the Emancipation Proclamation in Texas, the last of the Confederate States of America in which the Emancipation Proclamation was enforced.

Legislative Analyst: Christian Schmidt

## **FISCAL IMPACT**

### **Senate Bill 74**

The bill would have a negligible, if not neutral, fiscal impact on State or local government. Regarding revenue collections, the bill likely would not affect any State revenue collections, as the current practice for any collections slated for the date of a State holiday is to collect them on the following business day. For example, Secretary of State fees for driver and vehicle registrations would be collected on the next day of operations for branch offices.

With respect to employee costs for State or local government, the fiscal impact likely would be neutral. Salaried employees would not be affected by the addition of another State holiday, as they would receive the same salary. However, there are some employees who are entitled to additional pay for working holidays, such as corrections officers, State Police, or local and county law enforcement officials. The bill could add additional wage costs for those employees. Conversely, State or local governments could see wage cost savings from wages paid to hourly employees, as these employees generally do not work full-time, nor do they receive paid holidays. Based on all these factors, it is likely that the additional costs for holiday-pay eligible salaried employees could be negated by the savings from the decreased pay for hourly employees.

### **Senate Bill 355**

The bill would have an indeterminate, but likely negligible, fiscal impact on State and local government. The Michigan Fireworks Safety Act allows a civil fine of up to \$1,000 to be imposed for violation of a local unit of government's fireworks ordinance. Revenue collected from civil fines is used to support local libraries. Additionally, \$10 of the civil fine is deposited into the State Justice System Fund. This fund supports justice-related activities across State government in the Departments of Corrections, Health and Human Services, State Police, and Treasury. The fund also supports justice-related issues in the Legislative Retirement System and the Judiciary. Further, the Act also requires \$500 of each fine collected to be remitted to the local law enforcement agency responsible for enforcing the ordinance.

The amount of revenue that could be collected for the State or local libraries is indeterminate and would depend on enforcement and individual behavior around the specified days.

Fiscal Analyst: Bruce Baker  
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.