

# SENATE BILL NO. 569

October 10, 2019, Introduced by Senators MCMORROW, GEISS, MOSS, IRWIN, HERTEL, ANANICH, CHANG, POLEHANKI, ALEXANDER, BULLOCK, BAYER, SANTANA, WOJNO 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. **(1)** The following days, ~~namely:—~~**for all purposes**  
2 **related to the presenting for payment or acceptance of, and the**

1 protesting and giving notice of the dishonor of, bills of exchange,  
 2 bank checks, and promissory notes, and for the holding of courts,  
 3 except as otherwise provided in this act, shall be treated and  
 4 considered as the first day of the week, commonly called Sunday,  
 5 and as public holidays or as half-holidays, if so designated:

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

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

9 (c) February 12, Lincoln's ~~birthday; the~~ **Birth**day.

10 (d) **The** third Monday of February, Washington's ~~birthday; the~~  
 11 **Birth**day.

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

13 (f) July 4. ~~;~~ ~~the~~

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

15 (h) **The** second Monday in October, ~~Columbus day; the~~ **Indigenous**  
 16 **Peoples' Day**.

17 (i) **The first Tuesday after the first Monday of November,**  
 18 **election day**.

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

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

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

22 (m) **Every** Saturday from 12 noon until 12 midnight, which is  
 23 designated a ~~half holiday; and the fourth Thursday of November,~~  
 24 ~~Thanksgiving day, for all purposes regarding the presenting for~~  
 25 ~~payment or acceptance, and the protesting and giving notice of the~~  
 26 ~~dishonor of bills of exchange, bank checks, and promissory notes,~~  
 27 ~~also for the holding of courts, except as otherwise provided in~~  
 28 ~~this act, shall be treated and considered as the first day of the~~  
 29 ~~week, commonly called Sunday, and as public holidays or half~~

1 ~~holidays.~~ **half-holiday.**

2       (2) Bills, checks, and notes otherwise presentable for  
3 acceptance of payment on ~~these days~~ **a public holiday or half-**  
4 **holiday described in subsection (1)** shall be considered as payable  
5 and presentable for acceptance or payment on the next secular or  
6 business day following ~~the~~ **that** holiday or ~~half holiday.~~ **half-**  
7 **holiday.**

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

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

21       (5) **In** construing this section, every Saturday, unless a whole  
22 holiday, shall for the holding of court and the transaction of  
23 business authorized by the laws of this state be considered a  
24 secular or business day.

25       (6) If the return or adjourn day in an action, matter, or  
26 hearing before a court, officer, referee, or ~~arbitrators,~~  
27 **arbitrator** falls on any of the days ~~mentioned~~ **described** in this  
28 ~~section~~ **subsection (1)** except a Sunday, then that action, matter,  
29 or proceeding, commenced or adjourned, shall not, by reason of

1 coming on any of those days except a Sunday, abate, but shall stand  
 2 continued on the next succeeding day, at the same time and place  
 3 unless the next day is the first day of the week, or a holiday, in  
 4 which case it shall stand continued to the day succeeding the first  
 5 day of the week or holiday, at the same time and place.

6 (7) When the first day of the general term of a circuit court,  
 7 as fixed by the order of a circuit judge, falls ~~upon either of the~~  
 8 ~~days mentioned~~ **on any of the days described** in ~~this section~~  
 9 **subsection (1)** or when a circuit court is adjourned to a ~~day~~  
 10 ~~mentioned day described~~ in ~~this section~~, **subsection (1)** that court  
 11 may be adjourned to the ~~following~~ **succeeding** secular day.

12 (8) This act ~~shall~~ **does** not prevent or invalidate the entry,  
 13 issuance, service, or execution of a writ, summons, or confession  
 14 of judgment, or other legal process, the holding **of** courts, or the  
 15 transaction of lawful business except banking on any of the  
 16 Saturday afternoons designated in this act as ~~half holidays, nor~~  
 17 ~~shall this~~ **half-holidays**.

18 (9) **This** act **does not** prevent a bank, savings and loan  
 19 association, or building and loan association from ~~keeping its~~  
 20 ~~doors~~ **remaining** open or transacting its business on Saturday  
 21 afternoons, if by vote of its directors it elects to do so.

22 (10) The legislative body of a county or city may, by  
 23 ordinance or resolution, provide for the closing of county or  
 24 municipal offices for any ~~or for all purposes~~ **purpose** on ~~every~~  
 25 Saturday.

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

29 Enacting section 1. This amendatory act does not take effect

1 unless Senate Bill No. 568 of the 100th Legislature is enacted into  
2 law.