

# SENATE BILL NO. 50

February 01, 2023, Introduced by Senators SANTANA, WOJNO, CAVANAGH, MCMORROW, IRWIN, CHERRY, BAYER, MCCANN, GEISS, CHANG, SHINK, MCDONALD RIVET, KLINEFELT, POLEHANKI, BRINKS, MOSS, CAMILLERI, SINGH and HERTEL and referred to the Committee on Finance, Insurance, and Consumer Protection.

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 sections 1 and 2 (MCL 435.101 and 435.102), section 1 as amended by 1984 PA 4.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. **(1)** The following days ~~namely:~~**are considered and**  
2 **treated as the first day of the week, commonly called Sunday, and**

1 **as public holidays or half-holidays:**

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

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

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

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

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

9 (f) **June 19, Juneteenth**.

10 (g) July 4. ~~;~~ ~~the~~

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

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

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

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

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

16 (m) **Every** Saturday from 12 noon until 12 midnight, which is  
17 designated a ~~half holiday; and the fourth Thursday of November,~~  
18 ~~Thanksgiving day, half-holiday~~.

19 (2) **Subsection (1) applies** for all purposes regarding the  
20 presenting for payment or acceptance, and the protesting and giving  
21 notice of the dishonor of bills of exchange, bank checks, and  
22 promissory notes, ~~also and~~ for the holding of courts, except as  
23 otherwise provided in this act. ~~, shall be treated and considered~~  
24 ~~as the first day of the week, commonly called Sunday, and as public~~  
25 ~~holidays or half holidays. Bills, checks, and notes otherwise~~  
26 ~~presentable for acceptance of payment on these days shall be~~  
27 ~~considered as a day described in subsection (1) are~~ payable and  
28 presentable for acceptance or payment on the next secular or  
29 business day ~~following succeeding~~ the holiday or ~~half holiday. half-~~

1 **holiday.**

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

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

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

20 (6) If the return or adjourn day in an action, matter, ~~or~~  
21 hearing, **or proceeding** before a court, officer, referee, or  
22 arbitrators, ~~arbitrator~~ falls on any of the days mentioned in this  
23 section ~~a day described in subsection (1)~~ except a Sunday, then  
24 that action, matter, **hearing,** or proceeding, commenced or  
25 adjourned, ~~shall~~**does** not, by reason of ~~coming~~**falling** on any of  
26 those days except a Sunday, abate, but ~~shall stand~~**stands** continued  
27 on the next succeeding day ~~at the same time and place unless~~ ~~the~~  
28 **that** next **succeeding** day is the first day of the week ~~or~~ a  
29 holiday, in which case it ~~shall stand~~**stands** continued to the day

1 **next** succeeding the first day of the week or holiday ~~at the same~~  
2 time and place.

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

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

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

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

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

27 Sec. 2. ~~Whenever~~ **When** January 1, ~~February 12,~~ ~~June 19,~~  
28 July 4, ~~November 11,~~ ~~or December 25~~ ~~shall fall upon~~ **is a**  
29 Sunday, the next **succeeding** Monday ~~following~~ ~~shall be deemed~~ **is a**

1 public holiday for ~~any or all of~~ the purposes aforesaid. ~~In such~~  
2 ~~eases all bills of exchange, checks, and promissory notes made~~  
3 ~~after the passage of this act which~~ **A bill of exchange, check, or**  
4 **promissory note that** would otherwise be presentable for acceptance  
5 or payment on ~~such a Monday shall be deemed to be~~ **described in this**  
6 **section is** presentable for acceptance or payment on the **next**  
7 **succeeding** secular **or** business day. ~~next succeeding the holiday.~~