

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1262 Session of
2017

INTRODUCED BY HARKINS, READSHAW, SONNEY, FREEMAN, CONKLIN,
D. COSTA, FARRY AND PASHINSKI, APRIL 24, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 24, 2017

AN ACT

1 Amending the act of May 31, 1893 (P.L.188, No.138), entitled "An
2 act designating the days and half days to be observed as
3 legal holidays, and for the payment, acceptance and
4 protesting of bills, notes, drafts, checks and other
5 negotiable paper on such days," further providing that
6 September 11 shall be known as Patriot Day and observed as a
7 holiday.

8 The General Assembly finds and declares as follows:

9 (1) Patriot Day is observed as the National Day of
10 Service and Remembrance on September 11 of each year.

11 (2) September 11, also commonly known as "Nine-Eleven,"
12 is remembered globally as the anniversary of the catastrophic
13 terrorist attacks on the United States on September 11, 2001.

14 (3) The events of September 11, 2001, are embedded in
15 the memories of everyone who lived through that day, in which
16 four jet airplanes were hijacked and used as weapons against
17 the United States.

18 (4) Three of the four hijacked airplanes crashed into
19 the World Trade Center in New York City and the Pentagon in
20 Arlington, Virginia, causing the deaths of 2,977 people.

1 (5) The fourth hijacked airplane, United Airlines Flight
2 93, was directed at Washington, D.C., but its passengers
3 bravely attempted to take back control of the airplane, which
4 then crashed into a field near Shanksville, Pennsylvania.

5 (6) In the wake of the World Trade Center attacks, many
6 brave men and women from the emergency services risked their
7 lives in helping to rescue victims and 411 of those personnel
8 lost their lives in the attempts to fight fires and rescue
9 people.

10 (7) Each year on September 11, American flags are flown
11 at half staff to honor and commemorate those lives lost
12 during the terrorist attacks, and Americans are asked to
13 observe a moment of silence at 8:46 a.m. eastern daylight
14 time, which is the time that the first airplane crashed into
15 the North Tower of the World Trade Center.

16 (8) While the events of September 11, 2001, occurred
17 within the United States, the shock and grief experienced in
18 response to the attacks were shared around the globe and for
19 this reason Patriot Day is observed not only in the United
20 States but worldwide.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 Section 1. Section 1 of the act of May 31, 1893 (P.L.188,
24 No.138), referred to as the Legal Holiday Law, is amended to
25 read:

26 Section 1. Be it enacted, &c., That the following days and
27 half days, namely: the first day of January, commonly called New
28 Year's Day, the third Monday of January, known as Dr. Martin
29 Luther King, Jr. Day, the third Monday of February, known as
30 Presidents' Day, Good Friday, the last Monday in May, known as

1 Memorial Day, the fourteenth day of June, known as Flag Day, the
2 fourth of July, called Independence Day, the first Monday of
3 September, known as Labor Day, September 11, known as Patriot
4 Day, the second Monday in October, known as Columbus Day, the
5 first Tuesday after the first Monday of November, Election Day,
6 the eleventh day of November, known as Veterans' Day, the fourth
7 Thursday in November, known as Thanksgiving Day, the twenty-
8 fifth day of December, known as Christmas Day; and every
9 Saturday, after twelve o'clock noon until twelve o'clock
10 midnight, each of which Saturdays is hereby designated a half
11 holiday; and any day appointed or recommended by the Governor of
12 this State or the President of the United States as a day of
13 thanksgiving or fastings and prayer, or other religious
14 observance; and in the event of a financial crisis in the State
15 or Nation, any day or days appointed by the Governor of this
16 State or the President of the United States as a bank holiday;
17 and in the event of public calamity in any part of the State
18 through fire, flood, famine, violence, riot, insurrection, or
19 enemy action, any day or days appointed by the Governor of this
20 State as a bank holiday for banking institutions affected by
21 such public calamity shall, for all purposes whatever as regards
22 the presenting for payment or acceptance, and as regards the
23 protesting and giving notice of the dishonor of bills of
24 exchange, checks, drafts, and promissory notes, made after the
25 passage of this act, be treated and considered as the first day
26 of the week, commonly called Sunday, and as public holidays and
27 half holidays; and all such bills, checks, drafts, and notes
28 otherwise presentable for acceptance or payment on any of the
29 said days, shall be deemed to be payable and be presentable for
30 acceptance or payment on the secular or business day next

1 succeeding such holiday or half holiday; except checks, drafts,
2 bills of exchange, and promissory notes, payable at sight or on
3 demand, which would otherwise be payable on any half holiday
4 Saturday, shall be deemed to be payable at or before twelve
5 o'clock noon of such half holiday: Provided, however, That for
6 the purpose of protesting or otherwise holding liable any party
7 to any bill of exchange, check, draft, or promissory note, and
8 which shall not have been paid before twelve o'clock noon of any
9 Saturday designated a half holiday as aforesaid, a demand for
10 acceptance or payment thereof shall not be made, and notice of
11 protest or dishonor thereof shall not be given, until the next
12 succeeding secular or business day: And provided further, That
13 when any person, firm, corporation or company shall, on any
14 Saturday designated a half holiday, receive for collection any
15 check, bill of exchange, draft, or promissory note, such person,
16 firm, corporation, or company shall not be deemed guilty of any
17 neglect or omission of duty, nor incur any liability, in not
18 presenting for payment or acceptance or collection such check,
19 bill of exchange, draft or promissory note, on that day: And
20 provided further, That, in construing this section, every
21 Saturday designated a half holiday shall, until twelve o'clock
22 noon, be deemed a secular or business day; and the days and half
23 days aforesaid, so designated as holidays and half holidays,
24 shall be considered as public holidays and half holidays for all
25 purposes whatsoever as regards the transaction of business,
26 except that any day or days appointed as a bank holiday shall be
27 regarded as secular or business days for all other purposes than
28 those mentioned in this act: And provided further, That nothing
29 herein contained shall be construed to prevent or invalidate the
30 entry, issuance, service, or execution of any writ, summons,

1 confession of judgment, or other legal process whatever, on any
2 of the holidays or half holidays herein designated as holidays;
3 nor to prevent any banking institution from keeping its doors
4 open or transacting its business, on any Saturday afternoon, if
5 by a vote of its directors it shall elect to do so, unless such
6 Saturday is appointed as a bank holiday under the provisions of
7 this act: And provided further, That any banking institution
8 may, by a vote of its directors, or in the case of a private
9 bank by action of the private banker or bankers, notice of which
10 shall have been posted in its banking house for not less than
11 fifteen days before the taking effect thereof, observe any
12 Saturday throughout the year as a full holiday with like effect
13 hereunder as though such day had been designated as a full
14 holiday by the provisions of this act, and may in the same
15 manner, observe as a full holiday any Monday next following the
16 first day of January, the fourth day of July or the twenty-fifth
17 day of December whenever any of such holidays shall occur on a
18 Saturday with like effect hereunder as though such day had been
19 designated as a full holiday by the provisions of this act.

20 Section 2. The Governor shall designate Patriot Day as a
21 legal holiday so that Patriot Day may be classified as a fixed
22 holiday for purposes of section 113(a)(ix) of the act of
23 November 30, 1965 (P.L.847, No.356), known as the Banking Code
24 of 1965.

25 Section 3. This act shall take effect immediately.