

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 889 Session of
1995

INTRODUCED BY LUCYK, JAROLIN, PESCI, ROBERTS, COLAIZZO,
LaGROTTA, TRELLO, BELARDI, McCALL, MIHALICH, OLASZ, CORRIGAN,
PHILLIPS, STERN, ROONEY, LYNCH, LAUGHLIN, COLAFELLA, CIVERA,
THOMAS, CAWLEY, PISTELLA AND LEDERER, FEBRUARY 28, 1995

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 28, 1995

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," providing for observance of
6 Memorial Day and for transactions occurring on that day.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1 of the act of May 31, 1893 (P.L.188,
10 No.138), referred to as the Legal Holiday Law, amended December
11 13, 1985 (P.L.329, No.88), is amended to read:

12 Section 1. Be it enacted, &c., That the following days and
13 half days, namely: the first day of January, commonly called New
14 Year's Day, the third Monday of January, known as Dr. Martin
15 Luther King, Jr. Day, the third Monday of February, known as
16 Presidents' Day, Good Friday, the [last Monday in] thirtieth day
17 of May, known as Memorial Day, the fourteenth day of June, known
18 as Flag Day, the fourth of July, called Independence Day, the
19 first Monday of September, known as Labor Day, the second Monday

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

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

1 open or transacting its business, on any Saturday afternoon, if
2 by a vote of its directors it shall elect to do so, unless such
3 Saturday is appointed as a bank holiday under the provisions of
4 this act: And provided further, That any banking institution
5 may, by a vote of its directors, or in the case of a private
6 bank by action of the private banker or bankers, notice of which
7 shall have been posted in its banking house for not less than
8 fifteen days before the taking effect thereof, observe any
9 Saturday throughout the year as a full holiday with like effect
10 hereunder as though such day had been designated as a full
11 holiday by the provisions of this act, and may in the same
12 manner, observe as a full holiday any Monday next following the
13 first day of January, the fourth day of July or the twenty-fifth
14 day of December whenever any of such holidays shall occur on a
15 Saturday with like effect hereunder as though such day had been
16 designated as a full holiday by the provisions of this act.

17 Section 2. This act shall take effect immediately.