

LEGISLATIVE BILL 909

Approved by the Governor March 21, 1988

Introduced by Wehrbein, 2; Remmers, 1

AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Reissue Revised Statutes of Nebraska, 1943; to change the observance of Arbor Day; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 25-2221, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

25-2221. Except as may be otherwise more specifically provided, the period of time within which an act is to be done in any action or proceeding, shall be computed by excluding the day of the act, event, or default after which the designated period of time begins to run. The last day of the period so computed ~~is to~~ shall be included unless it is a Saturday, a Sunday, or a day during which the offices of courts of record may be legally closed as provided in this section, in which event the period ~~runs~~ shall run until the end of the next day on which the office ~~shall~~ will be open.

All courts and their offices may be closed on Saturdays, Sundays, and these holidays: New Year's Day, January 1; President's Day, the third Monday in February; Arbor Day, ~~April 22~~ the last Friday in April; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans Day, November 11; Thanksgiving Day, the fourth Thursday in November; the day after Thanksgiving; and Christmas Day, December 25. If any such holiday falls on Sunday, the following Monday shall be a holiday. If any such holiday falls on Saturday, the preceding Friday shall be a holiday. Court offices shall be open on all other days. If the date designated by the state for observance of any legal holiday pursuant to this section, except Veterans Day, is different from the date of observance of such holiday pursuant to a federal holiday schedule, the federal holiday schedule shall be observed.

Sec. 2. That section 62-301, Reissue Revised Statutes of Nebraska, 1943, be amended to read as

follows:

62-301. (1) For the purposes of the Uniform Commercial Code and section 62-301.01, the following days shall be holidays: New Year's Day, January 1; Birthday of Martin Luther King, Jr., the third Monday in January; President's Day, the third Monday in February; Arbor Day, ~~April 22~~ the last Friday in April; Memorial Day, the last Monday in May; Independence Day, July 4; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans Day, November 11, and the federally recognized holiday therefor, or either of them; Thanksgiving Day, the fourth Thursday in November; the day after Thanksgiving; and Christmas Day, December 25. If any ~~of~~ such ~~dates fall~~ holiday falls on Sunday, the following Monday shall be a holiday. If the date designated by the state for observance of any legal holiday enumerated in this section, except Veterans Day, is different from the date of observance of such holiday pursuant to a federal holiday schedule, the federal holiday schedule shall be observed.

(2) Any bank doing business in this state may, by a brief written notice at, on, or near its front door, fully dispense with or restrict, to such extent as it may determine, the hours within which it will be open for business.

(3) Any bank may close on Saturday if it states such fact by a brief written notice at, on, or near its front door. ~~Where~~ When such bank ~~shall will~~, in observance of such a notice, not be open for general business, such day shall, with respect to the particular bank, be the equivalent of a holiday, as fully as if such day were listed in subsection (1) of this section, and any act authorized, required, or permitted to be performed at, by, or with respect to such bank which ~~shall will~~, in observance of such notice, not be open for general business, acting in its own behalf or in any capacity whatever, may be performed on the next succeeding business day and no liability or loss of rights on the part of any person shall result from such delay.

(4) Any bank which, by the notice provided for by subsection (3) of this section, has created the holiday for such bank may, without destroying the legal effect of the holiday for it and solely for the convenience of its customers, remain open all or part of such day in a limited fashion by treating every transaction with its customers on such day as though the transaction had taken place immediately upon the opening of such bank on the first following business day.

(5) Whenever the word bank is used in this section it shall include industrial loan and investment company, building and loan association, savings and loan association, credit union, savings bank, trust company, investment company, cooperative credit association, and any other type of financial institution.

Sec. 3. That original sections 25-2221 and 62-301, Reissue Revised Statutes of Nebraska, 1943, are repealed.