

2022 Regular Session

HOUSE BILL NO. 248

BY REPRESENTATIVES WILLARD, LANDRY, AND GLOVER

HOLIDAYS: Provides relative to legal holidays

1 AN ACT

2 To amend and reenact R.S. 1:55(A)(1) and (7), (B)(2), (D), and (E)(1)(a)(i), relative to legal
3 holidays; to provide for the removal of certain holidays; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 1:55(A)(1) and (7), (B)(2), (D), and (E)(1)(a)(i) are hereby amended
7 and reenacted to read as follows:

8 §55. Days of public rest, legal holidays, and half-holidays

9 A. The following shall be days of public rest and legal holidays and
10 half-holidays:

11 (1) The following shall be days of public rest and legal holidays: Sundays;
12 January 1, New Year's Day; January 8, Battle of New Orleans; the third Monday in
13 January, Dr. Martin Luther King, Jr.'s Birthday; ~~January 19, Robert E. Lee Day~~; third
14 Monday in February, ~~Washington's Birthday~~; President's Day; the day of Mardi
15 Gras; Good Friday; the last Monday in May, National Memorial Day; ~~June 3,~~
16 ~~Confederate Memorial Day~~; July 4, Independence Day; ~~August 30, Huey P. Long~~
17 ~~Day~~; the first Monday in September, Labor Day; the second Monday in October,
18 Christopher Columbus Day; November 1, All Saints' Day; November 11, Veterans'
19 Day; the fourth Thursday in November, Thanksgiving Day; December 25, Christmas
20 Day; Inauguration Day in the city of Baton Rouge; provided, however, that in the

1 parish of Orleans, the city of Baton Rouge, in each of the parishes comprising the
2 second and sixth congressional districts, except the parish of Ascension, and in each
3 of the parishes comprising the fourteenth and thirty-first judicial districts of the state,
4 the whole of every Saturday shall be a legal holiday, and in the parishes of
5 Catahoula, Caldwell, West Carroll, Concordia, East Carroll, Franklin, Madison,
6 Morehouse, Ouachita, Richland, Tensas, Union, Jackson, Avoyelles, West Feliciana,
7 Rapides, Natchitoches, Grant, LaSalle, Winn, Lincoln, and East Baton Rouge, the
8 whole of every Saturday shall be a holiday for all banking institutions, and in the
9 parishes of Sabine and Vernon each Wednesday and Saturday, from 12:00 o'clock
10 noon until 12:00 o'clock midnight, shall be a half-holiday for all banking institutions.
11 All banks and trust companies, however, may, each at its option, remain open and
12 exercise all of its regular banking functions and duties upon January 8; Dr. Martin
13 Luther King, Jr.'s Birthday; January 19; ~~Washington's Birthday~~; President's Day;
14 Good Friday; National Memorial Day; June 3; ~~August 30~~; Christopher Columbus
15 Day; November 1; and Veterans' Day; and all banks and trust companies located in
16 Ward 1 of the parish of Avoyelles may, each at its option, remain open and exercise
17 all of its regular banking functions and duties until 12 o'clock noon on Saturdays;
18 however, when on any of said last named days any bank or trust company does
19 actually remain open it shall, as to transactions on such day, to exactly the same
20 extent as if such day were not otherwise a legal holiday, be not subject to any of the
21 provisions of R.S. 7:85 and 251 or any other laws of Louisiana covering the matters
22 of maturity of negotiable instruments and demand, notice, presentment, acceptance,
23 or protest thereof on legal holidays and half-holidays, and all instruments payable to
24 or at such bank upon such day shall become due on such day; and provided, further,
25 that the option of remaining open shall not, except as otherwise provided in this
26 Paragraph, apply to Saturdays or Wednesdays which are holidays or half-holidays,
27 or to Mardi Gras when the same has been declared a legal holiday; and provided still
28 further that nothing in any law of this state shall in any manner whatsoever affect the
29 validity of or render void or voidable the payment, certification, or acceptance of a

1 check or other negotiable instrument or any other transaction by a bank in Louisiana
2 because done on any holiday or half-holiday or because done on any day upon which
3 such bank, if remaining open because of the option given it herein, if the payment,
4 certification, acceptance, or other transaction could have been validly done on any
5 other day.

6 * * *

7 (7) The third Monday in February, ~~the birthday of President George~~
8 ~~Washington~~ President's Day, for public schools; provided however, that a local
9 school board shall decide to observe this holiday during a regularly scheduled school
10 day with or without the necessity of adjourning school for all or any portion of the
11 school day.

12 * * *

13 B. Legal holidays shall be observed by the departments of the state as
14 follows:

15 * * *

16 (2) ~~Robert E. Lee Day, Washington's Birthday, President's Day and National~~
17 ~~Memorial Day, Confederate Memorial Day, and Huey P. Long Day~~ shall be observed
18 only in such manner as the governor may proclaim, considering the pressure of the
19 state's business; ~~however, not more than two such legal holidays shall be proclaimed~~
20 ~~in any one year, one of which shall be National Memorial Day.~~

21 * * *

22 D. Notwithstanding the provisions of R.S. 6:65 or any other law to the
23 contrary, all banking institutions and savings and loan associations located within the
24 parishes of Terrebonne, Lafourche, Iberia, Pointe Coupee, West Baton Rouge, St.
25 Mary, and Iberville, and all banking institutions located within the parishes of
26 Lafayette and St. Landry, shall be closed during any year on Saturdays, Sundays,
27 New Year's Day, Mardi Gras, Independence Day, Labor Day, Thanksgiving and
28 Christmas; provided, however, that when New Year's Day, Independence Day or
29 Christmas fall on a Sunday, said banking institutions and savings and loan

1 associations shall be closed on the next day, and said financial institutions may, each
2 at its option, remain open and exercise all of its regular functions and duties upon
3 January eighth; January nineteenth; the third Monday in February, ~~Washington's~~
4 ~~Birth~~day, President's Day; Good Friday; the last Monday in May, National Memorial
5 Day; June third; ~~August thirtieth~~; the second Monday in October, Christopher
6 Columbus Day; November first; and November eleventh, Veterans' Day; and further
7 provided that when on any of said last named days any said financial institution does
8 actually remain open it shall, as to transactions on such day, to exactly the same
9 extent as if such day were not otherwise a legal holiday, ~~be~~ not be subject to any of
10 the provisions of R.S. 7:85 and 251, or any other laws of Louisiana, covering the
11 matters of maturity of negotiable instruments and demands, notice, presentment,
12 acceptance or protest thereof on legal holidays and half-holidays, and all instruments
13 payable to or at such bank upon such day shall become due on such day; and
14 provided further that the option of remaining open shall not apply to Saturdays or
15 Wednesdays which are holidays or half-holidays, or to Mardi Gras when the same
16 has been declared a legal holiday; and provided further that nothing in any law of
17 this state shall in any manner whatsoever affect the validity of, or render void or
18 voidable, the payment, certification of acceptance of a check or other negotiable
19 instrument, or any other transaction by a bank in Louisiana because done on any
20 holiday or half-holiday or because done on any day upon which such financial
21 institution if remaining open because of the option given it herein, if the payment,
22 certification, acceptance, or other transaction could have been validly done on any
23 other day, provided, however, that in the parishes of Beauregard, Sabine, Vernon,
24 Evangeline and DeSoto the banking institutions may elect to make the whole of
25 Saturdays holidays and close, in lieu of half-holidays on Wednesdays and
26 half-holidays on Saturdays.

27 E.(1)(a)(i) Each clerk of a district court, parish court, and city court shall
28 close his office on the following days: New Year's Day, January first; ~~Washington's~~
29 ~~Birth~~day, President's Day, the third Monday in February; Good Friday; Memorial

1 Day, the last Monday in May; the Fourth of July; Labor Day, the first Monday in
 2 September; All Saints' Day, November first; Veterans' Day, November eleventh;
 3 Thanksgiving Day, the fourth Thursday in November, and the next day, Friday;
 4 Christmas Eve Day; Christmas Day; and New Year's Eve Day, December thirty-first.

5 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 248 Reengrossed

2022 Regular Session

Willard

Abstract: Provides relative to the addition and removal of certain holidays as legal holidays.

Present law provides for a list of legal holidays and days of public rest.

Proposed law retains present law and removes Robert E. Lee Day, Confederate Memorial Day, President George Washington's birthday, and Huey P. Long Day as legal holidays. Adds President's Day as a legal holiday.

(Amends R.S. 1:55(A)(1) and (7), (B)(2), (D), and (E)(1)(a)(i))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add and remove certain holidays from present law (R.S. 1:55(A)(7), (B)(2), (D), and (E)).