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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982



# ENROLLED

HOUSE BILL No. 1368

(By Mr. Stephens + Mrs Moore)



Passed February 26, 1982

In Effect Ninety Days From Passage



**ENROLLED**

**H. B. 1368**

(By MR. STEPHENS and MR. MOORE)

[Passed February 26, 1982; in effect ninety days from passage.]

AN ACT to repeal section one-b, article two, chapter two of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to amend and reenact section one of said article two, relating to legal holidays, official acts or court proceedings, designation of Martin Luther King's birthday as a legal holiday.

*Be it enacted by the Legislature of West Virginia:*

That section one-b, article two, chapter two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that section one of said article two be amended and reenacted, to read as follows:

**ARTICLE 2. LEGAL HOLIDAYS; SPECIAL MEMORIAL DAYS; CONSTRUCTION OF STATUTES; DEFINITIONS.**

**§2-2-1. Legal holidays; official acts or court proceedings.**

1 The following days shall be regarded, treated and observed  
2 as legal holidays, viz: The first day of January, commonly  
3 called "New Year's Day"; on and after the fifteenth day of  
4 January, one thousand nine hundred eighty-three, the fifteenth  
5 day of January, commonly called "Martin Luther King's  
6 Birthday"; the twelfth day of February, commonly called  
7 "Lincoln's Birthday"; the third Monday of February, com-  
8 monly called "Washington's Birthday"; the last Monday in  
9 May, commonly called "Memorial Day"; the twentieth day  
10 of June, commonly called "West Virginia Day"; the fourth

11 day of July, commonly called "Independence Day"; the first  
12 Monday of September, commonly called "Labor Day"; the  
13 second Monday of October, commonly called "Columbus  
14 Day"; the eleventh day of November, hereafter referred to  
15 as "Veterans Day"; the fourth Thursday of November, com-  
16 monly called "Thanksgiving Day"; the twenty-fifth day of  
17 December, commonly called "Christmas Day"; any national,  
18 state or other election day throughout the district or munici-  
19 pality wherein the election is held; and all days which may  
20 be appointed or recommended by the governor of this state,  
21 or the president of the United States, as days of thanksgiving,  
22 or for the general cessation of business; and when any of  
23 these days or dates falls on a Sunday, then the succeeding  
24 Monday shall be regarded, treated and observed as the legal  
25 holiday.

26 When the return day of any summons or other court pro-  
27 ceeding or any notice or time fixed for holding any court  
28 or doing any official act shall fall on any of these holidays,  
29 the next ensuing day which is not a Saturday, Sunday or legal  
30 holiday shall be taken as meant and intended: *Provided*, That  
31 nothing herein contained shall increase nor diminish the  
32 legal school holidays provided for in section two, article five,  
33 chapter eighteen-a of this code.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*R. P. Bayler*  
Chairman Senate Committee

*Tommy E. Whitlow*  
Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

*Jack C. Wilts*  
Clerk of the Senate

*V. Blankenship*  
Clerk of the House of Delegates

*Waverly R. McEraw*  
President of the Senate

*Wayne M. Lee, Jr.*  
Speaker House of Delegates

The within is approved this the 9  
day of March, 1982.

*John R. Rhymer*  
Governor

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