FILED

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WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2006

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ENROLLED

Committee Substitute for

SENATE BILL NO. ___603___

(By Senator ___Caruth, et al___)

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PASSED ___March 11, 2006___

In Effect _90 days from_ **Passage**

ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 603

(SENATORS CARUTH, MCKENZIE, DEEM, HARRISON, YODER,
MINEAR AND MCCABE, *original sponsors*)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend and reenact §2-2-1 of the Code of West Virginia, 1931, as amended, relating to renaming the day after Thanksgiving Day as Lincoln's Day.

Be it enacted by the Legislature of West Virginia:

That §2-2-1 of the Code of West Virginia, 1931, as amended, 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   (a) The following days are legal holidays:

2   (1) The first day of January is "New Year's Day";

3   (2) The third Monday of January is "Martin Luther
4   King's Birthday";

5   (3) The third Monday of February is "Presidents' Day";

6   (4) The last Monday in May is "Memorial Day";

7   (5) The twentieth day of June is "West Virginia Day";

8   (6) The fourth day of July is "Independence Day";

9   (7) The first Monday of September is "Labor Day";

10   (8) The second Monday of October is "Columbus Day";

11   (9) The eleventh day of November is "Veterans' Day";

12   (10) The fourth Thursday of November is "Thanksgiving
13   Day";

14   (11) The day after Thanksgiving Day is "Lincoln's Day";

15   (12) The twenty-fifth day of December is "Christmas
16   Day";

17   (13) Any day on which a general, primary or special
18   election is held is a holiday throughout the state, a politi-
19   cal subdivision of the state, a district or an incorporated
20   city, town or village in which the election is conducted;

21   (14) General election day on even years shall be desig-
22   nated Susan B Anthony Day, in accordance with the
23   provisions of subsection (b), section one-a of this article;
24   and

25   (15) Any day proclaimed or ordered by the Governor or
26   the President of the United States as a day of special
27   observance or Thanksgiving, or a day for the general
28   cessation of business, is a holiday.

29   (b) If a holiday otherwise described in subsection (a) of
30   this section falls on a Sunday, then the following Monday
31   is the legal holiday. If a holiday otherwise described in
32   subsection (a) of this section falls on a Saturday, then the

33   preceding Friday is the legal holiday: *Provided*, That this
34   subsection (b) shall not apply to subdivisions (13), (14) and
35   (15), subsection (a) of this section.

36   (c) Any day or part thereof designated by the Governor
37   as time off, without charge against accrued annual leave,
38   for state employees statewide may also be time off for
39   county employees if the county commission elects to
40   designate the day or part thereof as time off, without
41   charge against accrued annual leave for county employees.
42   Any entire or part statewide day off designated by the
43   Governor may, for all courts, be treated as if it were a legal
44   holiday.

45   (d) In computing any period of time prescribed by any
46   applicable provision of this code or any legislative rule or
47   other administrative rule or regulation promulgated
48   pursuant to the provisions of this code, the day of the act,
49   event, default or omission from which the applicable
50   period begins to run is not included. The last day of the
51   period so computed is included, unless it is a Saturday, a
52   Sunday, a legal holiday or a designated day off in which
53   event the prescribed period of time runs until the end of
54   the next day that is not a Saturday, Sunday, legal holiday
55   or designated day off.

56   (e) If any applicable provision of this code or any
57   legislative rule or other administrative rule or regulation
58   promulgated pursuant to the provisions of this code
59   designates a particular date on, before or after which an
60   act, event, default or omission is required or allowed to
61   occur, and if the particular date designated falls on a
62   Saturday, Sunday, legal holiday or designated day off,
63   then the date on which the act, event, default or omission
64   is required or allowed to occur is the next day that is not
65   a Saturday, Sunday, legal holiday or designated day off.

66   (f) With regard to the courts of this state, the computa-
67   tion of periods of time, the specific dates or days when an
68   act, event, default or omission is required or allowed to

69   occur and the relationship of those time periods and dates
70   to Saturdays, Sundays, legal holidays, or days designated
71   as weather or other emergency days pursuant to section
72   two of this article are governed by rules promulgated by
73   the Supreme Court of Appeals.

74   (g) The provisions of this section do not increase or
75   diminish the legal school holidays provided in section two,
76   article five, chapter eighteen-a of this code.

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

....
Chairman Senate Committee

....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker House of Delegates

The within *is approved* this the *5th*

Day of *April*, 2006.

....
Governor

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