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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2002



ENROLLED

House Bill No. 4423

(By Delegates Douglas, Hubbard, Leach,
Compton, Warner, Smirl and Fletcher)



Passed March 9, 2002

In Effect Ninety Days from Passage

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E N R O L L E D

H. B. 4423

(BY DELEGATES DOUGLAS, HUBBARD, LEACH,
COMPTON, WARNER, SMIRL AND FLETCHER)

[Passed March 9, 2002; in effect ninety days from passage.]

AN ACT to amend and reenact sections one and one-a, article two, chapter two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, all relating to commemorating the accomplishments of Susan B. Anthony by designating the first Tuesday after the first Monday of November as Susan B. Anthony day, a legal holiday in all years ending in an even number.

Be it enacted by the Legislature of West Virginia:

That sections one and one-a, article two, chapter two of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, all 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 King’s
4 Birthday”;

5 (3) The twelfth day of February is “Lincoln’s Birthday”;

6 (4) The third Monday of February is “Washington’s
7 Birthday”;

8 (5) The last Monday in May is “Memorial Day”;

9 (6) The twentieth day of June is “West Virginia Day”;

10 (7) The fourth day of July is “Independence Day”;

11 (8) The first Monday of September is “Labor Day”;

12 (9) The second Monday of October is “Columbus Day”;

13 (10) The eleventh day of November is “Veterans’ Day”;

14 (11) The fourth Thursday of November is “Thanksgiving
15 Day”;

16 (12) The twenty-fifth day of December is “Christmas Day”;

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

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

24 (15) Any day proclaimed or ordered by the governor or the
25 president of the United States as a day of special observance or

26 Thanksgiving, or a day for the general cessation of business, is
27 a holiday.

28 (b) If a holiday otherwise described in subsection (a) of this
29 section falls on a Sunday, then the following Monday is the
30 legal holiday. If a holiday otherwise described in subsection (a)
31 of this section falls on a Saturday, then the preceding Friday is
32 the legal holiday: *Provided*, That this subsection (b) shall not
33 apply to subdivision (13), subsection (a) of this section.

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

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

52 (e) If any applicable provision of this code or any legisla-
53 tive rule or other administrative rule or regulation promulgated
54 pursuant to the provisions of this code designates a particular
55 date on, before or after which an act, event, default or omission
56 is required or allowed to occur, and if the particular date
57 designated falls on a Saturday, Sunday, legal holiday or

58 designated day off, then the date on which the act, event,
59 default or omission is required or allowed to occur is the next
60 day that is not a Saturday, Sunday, legal holiday or designated
61 day off.

62 (f) With regard to the courts of this state, the computation
63 of periods of time, the specific dates or days when an act, event,
64 default or omission is required or allowed to occur and the
65 relationship of those time periods and dates to Saturdays,
66 Sundays, legal holidays, or days designated as weather or other
67 emergency days pursuant to section two of this article are
68 governed by rules promulgated by the supreme court of appeals.

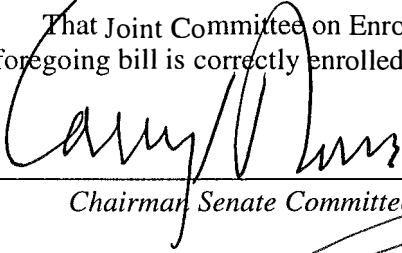
69 (g) The provisions of this section do not increase or
70 diminish the legal school holidays provided for in section two,
71 article five, chapter eighteen-a of this code.

§2-2-1a. Special memorial days.

1 (a) The governor shall, by proclamation, declare the week
2 beginning with the Sunday before Thanksgiving as a special
3 memorial week to be known as Native American Indian
4 Heritage Week.

5 (b) The first Tuesday after the first Monday of November
6 is designated Susan B. Anthony Day and shall only be a legal
7 holiday in all years ending in an even number. The governor
8 shall annually issue a proclamation calling on all schools, civic
9 organizations, government departments and citizens to under-
10 take activities on the designated day and surrounding days to
11 pay tribute to the accomplishments of Susan B. Anthony in
12 securing the civil and political rights of all Americans, includ-
13 ing securing equal voting rights for women.

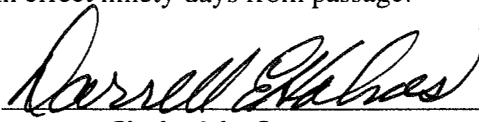
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

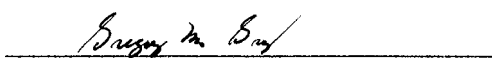

Chairman Senate Committee

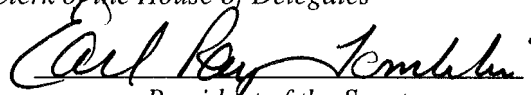

Chairman House Committee

Originating in the House.

In effect ninety days from passage.

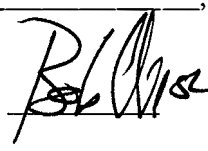

Clerk of the Senate


Clerk of the House of Delegates


President of the Senate


Speaker of the House of Delegates

The within is approved this the 2nd day of April, 2002.


Governor

Received of

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Date 3/27/02

Yrs. 10115 hr