

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 2

By Senator Chapman

[Introduced February 12, 2025; referred
to the Committee on Finance]

1 A BILL to amend and reenact §2-2-1 of the Code of West Virginia, 1931, as amended, relating to
2 designating September 13 of each year as the legal holiday of "Patriot Day".

Be it enacted by the Legislature of West Virginia:

**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) January 1 is "New Year's Day";

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

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

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

6 (5) June 20 is "West Virginia Day";

7 (6) July 4 is "Independence Day";

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

9 (8) September 13 is "Patriot Day";

10 ~~(8)~~ (9) The second Monday of October is "Columbus Day";

11 ~~(9)~~ (10) November 11 is "Veterans' Day";

12 ~~(10)~~ (11) The fourth Thursday of November is "Thanksgiving Day";

13 ~~(11)~~ (12) The day after Thanksgiving Day is "Lincoln's Day";

14 ~~(12)~~ (13) December 25 is "Christmas Day";

15 ~~(13)~~ (14) Any day on which a general, primary₁ or special election is held is a holiday
16 throughout the state, a political subdivision of the state, a district or an incorporated city, town₁ or
17 village in which the election is conducted;

18 ~~(14)~~ (15) General election day on even years shall be designated Susan B. Anthony Day, in
19 accordance with the provisions of subsection (b), section one-a of this article; and

20 ~~(15)~~ (16) Any day proclaimed or ordered by the Governor or the President of the United
21 States as a day of special observance or Thanksgiving, or a day for the general cessation of
22 business, is a holiday.

23 (b) If a holiday otherwise described in subsection (a) of this section falls on a Sunday, then
24 the following Monday is the legal holiday. If a holiday otherwise described in subsection (a) of this
25 section falls on a Saturday, then the preceding Friday is the legal holiday: *Provided*, That this
26 subsection (b) shall not apply to subdivisions ~~(13), (14) and (15)~~, (14), (15), and (16), subsection
27 (a) of this section.

28 (c) Any day or part thereof designated by the Governor as time off, without charge against
29 accrued annual leave, for state employees statewide may also be time off for county employees if
30 the county commission elects to designate the day or part thereof as time off, without charge
31 against accrued annual leave for county employees. Any entire or part statewide day off
32 designated by the Governor may, for all courts, be treated as if it were a legal holiday.

33 (d) In computing any period of time prescribed by any applicable provision of this code or
34 any legislative rule or other administrative rule or regulation promulgated pursuant to the
35 provisions of this code, the day of the act, event, default or omission from which the applicable
36 period begins to run is not included. The last day of the period so computed is included, unless it is
37 a Saturday, a Sunday, a legal holiday or a designated day off in which event the prescribed period
38 of time runs until the end of the next day that is not a Saturday, Sunday, legal holiday or designated
39 day off.

40 (e) If any applicable provision of this code or any legislative rule or other administrative rule
41 or regulation promulgated pursuant to the provisions of this code designates a particular date on,
42 before or after which an act, event, default or omission is required or allowed to occur, and if the
43 particular date designated falls on a Saturday, Sunday, legal holiday or designated day off, then
44 the date on which the act, event, default or omission is required or allowed to occur is the next day
45 that is not a Saturday, Sunday, legal holiday or designated day off.

46 (f) With regard to the courts of this state, the computation of periods of time, the specific
47 dates or days when an act, event, default or omission is required or allowed to occur and the
48 relationship of those time periods and dates to Saturdays, Sundays, legal holidays, or days
49 designated as weather or other emergency days pursuant to §2-2-2 of this code are governed by
50 rules promulgated by the Supreme Court of Appeals.

51 (g) The provisions of this section do not increase or diminish the legal school holidays
52 provided in §18A-5-2 of this code.

NOTE: The purpose of this bill is to designate September 13 as the annual legal holiday of
"Patriot Day".

Strike-throughs indicate language that would be stricken from a heading or the present law
and underscoring indicates new language that would be added.