

House Bill 3482

Sponsored by Representative GALIZIO; Representatives BUCKLEY, CANNON, CLEM, DEMBROW, GARRETT, GREENLICK, HOLVEY, HUNT, JENSON, KOTEK, RILEY, SCHAUFLEER, SHIELDS, G SMITH, STIEGLER, TOMEI, VANORMAN, Senators BONAMICI, HASS, NELSON, ROSENBAUM

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Election Day as legal holiday in Oregon.

A BILL FOR AN ACT

Relating to election day; amending ORS 187.010, 545.135, 708A.650 and 722.162.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 187.010 is amended to read:

187.010. (1) The following days are legal holidays in this state:

(a) Each Sunday.

(b) New Year's Day on January 1.

(c) Martin Luther King, Jr.'s Birthday on the third Monday in January.

(d) Presidents Day, for the purpose of commemorating Presidents Washington and Lincoln, on the third Monday in February.

(e) Memorial Day on the last Monday in May.

(f) Independence Day on July 4.

(g) Labor Day on the first Monday in September.

(h) Election Day on the first Tuesday after the first Monday in November of each even-numbered year.

[(h)] (i) Veterans Day on November 11.

[(i)] (j) Thanksgiving Day on the fourth Thursday in November.

[(j)] (k) Christmas Day on December 25.

(2) Each time a holiday, other than Sunday, listed in subsection (1) of this section falls on Sunday, the succeeding Monday shall be a legal holiday. Each time a holiday listed in subsection (1) of this section falls on Saturday, the preceding Friday shall be a legal holiday.

(3) Any act authorized, required or permitted to be performed on a holiday as designated in this section may be performed on the next succeeding business day; and no liability or loss of rights of any kind shall result from such delay.

(4) In enumerating legal holidays in subsection (1) of this section, the Legislative Assembly does not intend to limit or otherwise affect public or private collective bargaining or collective bargaining agreements.

SECTION 2. ORS 545.135 is amended to read:

545.135. (1) Except for the second Tuesday in November next following the organization of the district, an election shall be held in each district on the second Tuesday in November of each year, at which one or more directors shall be elected. The person receiving the highest number of votes

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 for any office to be filled shall be elected, and shall hold office for three years from the annual or-
 2 ganizational meeting in January next following the election and until a successor is elected and
 3 qualified. The qualifications for a director shall be those set forth in ORS 545.043.

4 (2) In districts organized prior to May 21, 1917, a director shall be elected from each of the three
 5 divisions into which the board of directors may have divided the district, or, if the board of directors
 6 has so ordered, the directors shall be elected from the district at large.

7 (3) A newly elected director shall take the official oath at the annual organizational meeting in
 8 January next following the election or as soon thereafter as possible. The director shall file the oath
 9 in the office of the board of directors.

10 (4) Notwithstanding subsection (1) of this section, if the second Tuesday in November falls on
 11 a holiday as defined in ORS 187.010 and 187.020, **except for Election Day**, the election shall be held
 12 on the day following the second Tuesday in November.

13 **SECTION 3.** ORS 708A.650 is amended to read:

14 708A.650. (1) As used in this section:

15 (a) "Bank" includes any banking institution, out-of-state state bank, national bank or
 16 extranational institution doing a banking business in this state.

17 (b) "Banking day" means any day that is not an optional bank holiday.

18 (c) "Emergency" means any condition or occurrence which may interfere with the conduct of
 19 normal business operations at one or more of the offices of a bank, or which poses an imminent or
 20 existing threat to the safety or security of persons or property.

21 (d) "Open for the general conduct of banking business" means the office or offices of a bank are
 22 open to the public for carrying on substantially all business functions of the bank.

23 (e) "Optional bank holiday" means:

24 (A) Each Saturday and Sunday.

25 (B) New Year's Day on January 1.

26 (C) Martin Luther King, Jr.'s birthday on the third Monday in January.

27 (D) Presidents Day on the third Monday in February.

28 (E) Memorial Day on the last Monday in May.

29 (F) Independence Day on July 4.

30 (G) Labor Day on the first Monday in September.

31 (H) Columbus Day on the second Monday in October.

32 **(I) Election Day on the first Tuesday after the first Monday in November of each even-**
 33 **numbered year.**

34 ~~[(I)]~~ **(J)** Veterans Day on November 11.

35 ~~[(J)]~~ **(K)** Thanksgiving Day on the fourth Thursday in November.

36 ~~[(K)]~~ **(L)** Christmas Day on December 25.

37 (2) When an optional bank holiday, other than a Saturday, falls on a Saturday, the bank may
 38 observe the holiday either on that day or on the preceding Friday. When an optional bank holiday,
 39 other than a Sunday, falls on a Sunday, the bank may observe the holiday either on that day or on
 40 the succeeding Monday.

41 (3) Except as otherwise provided in this section, banks shall be open for the general conduct
 42 of banking business on each banking day.

43 (4) Any bank may remain closed on any optional bank holiday with respect to all or any of its
 44 banking and other functions.

45 (5) Subject to any applicable federal law or regulation, an office of a bank may be closed for any

1 part or all of a banking day if the times or days which the office is open are posted on the premises
2 of the office.

3 (6) When the Director of the Department of Consumer and Business Services determines that
4 an emergency exists, the director may authorize the closing of the principal office or branch of any
5 bank which may be affected by the emergency. The office or branch so closed may remain closed
6 until the director determines that the emergency has ended and for such further time thereafter as
7 may reasonably be required to prepare the office or branch to reopen.

8 (7) When the officers of a bank determine that an emergency exists which affects the principal
9 office or a branch of the bank, they may close the office or branch without the approval of the di-
10 rector for a period not to exceed 48 hours, excluding holidays, during the continuation of the
11 emergency. A bank closing an office or branch under this subsection shall give prompt notice of its
12 action to the director, or in the case of a national bank, to the Comptroller of the Currency.

13 (8) The principal officers of a bank may close the principal office or any branch of the bank on
14 any day designated, by proclamation of the President of the United States or the Governor of this
15 state, as a day of mourning, rejoicing, or other special observance.

16 (9) When any obligation payable at, by or through a bank falls due on a day on which the bank
17 remains closed under this section, it shall be due and payable on the next banking day on which the
18 bank is open. Any act authorized, required or permitted to be performed at, by or with respect to
19 any bank on a day on which the bank remains closed may be performed on the next banking day
20 on which the bank is open, and no liability or loss of rights of any kind shall result from the closing.

21 **SECTION 4.** ORS 722.162 is amended to read:

22 722.162. (1) This section applies to domestic associations and to foreign or federal associations
23 doing business in this state.

24 (2) As used in this section:

25 (a) "Emergency" means any condition or occurrence which may interfere with the conduct of
26 normal business operations at the principal office or one or more of the branches of an association,
27 or which poses an imminent or existing threat to the safety or security of persons or property.

28 (b) "Open for the general conduct of association business" means the office or offices of the
29 association are open for carrying on substantially all business functions of the association.

30 (3) The following days are optional holidays for purposes of this section:

31 (a) Each Saturday and Sunday.

32 (b) New Year's Day on January 1.

33 (c) Martin Luther King, Jr.'s birthday on the third Monday in January.

34 (d) Presidents Day, on the third Monday in February.

35 (e) Memorial Day on the last Monday in May.

36 (f) Independence Day on July 4.

37 (g) Labor Day on the first Monday in September.

38 (h) Columbus Day on the second Monday in October.

39 (i) **Election Day on the first Tuesday after the first Monday in November of each even-**
40 **numbered year.**

41 [(i)] (j) Veterans Day on November 11.

42 [(j)] (k) Thanksgiving Day on the fourth Thursday in November.

43 [(k)] (L) Christmas Day on December 25.

44 (4) When an optional holiday, other than a Saturday, falls on Saturday, the association may ob-
45 serve the holiday either on that day or on the preceding Friday. When an optional holiday, other

1 than a Sunday, falls on a Sunday, the association may observe the holiday either on that day or on
2 the succeeding Monday.

3 (5) Except as otherwise provided in this section, associations shall be open for the general
4 conduct of association business on each day that is not an optional holiday.

5 (6) Any savings association may remain closed on any holiday with respect to all or any of its
6 functions.

7 (7) Subject to any applicable federal law or regulation, an office of a savings association may
8 be closed for any part or all of any day other than a holiday if the times or days which the office
9 is open are posted on the premises of the office.

10 (8) When the Director of the Department of Consumer and Business Services determines that
11 an emergency exists, the director may authorize the closing of the principal office or any branch
12 of an association that may be affected by the emergency. The office or branch so closed may remain
13 closed until the director determines that the emergency has ended and for such further time there-
14 after as may reasonably be required to prepare the office or branch to reopen.

15 (9) When the officers of an association determine that an emergency exists which affects the
16 principal office or a branch of the association, they may close the office or branch without the ap-
17 proval of the director for a period not to exceed 48 hours, excluding holidays, during the continua-
18 tion of the emergency. An association closing an office or branch under this subsection shall give
19 prompt notice of its action to the director or, in the case of a foreign or federal association, to its
20 supervisory authority.

21 (10) The principal officers of a savings association may close any office of the association on
22 any day designated, by proclamation of the President of the United States or the Governor of this
23 state, as a day of mourning, rejoicing or other special observance.

24 (11) When any obligation payable at, by or through an association, principal office or branch
25 falls due on a day on which it remains closed under this section, it shall be due and payable on the
26 next day on which the association, office or branch is reopened. Any act authorized, required or
27 permitted to be performed at, by or with respect to any savings association, office or branch on a
28 day on which it remains so closed may be performed on the next succeeding day on which the as-
29 sociation, office or branch is reopened; and no liability or loss of rights of any kind shall result from
30 such closing.

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