

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 394

Short Title: Clarify Legal Filing Law.

(Public)

Sponsors: Representatives Stam; and Gorman.

Referred to: Judiciary II.

March 11, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT CLARIFYING THE LAW PERTAINING TO LEGAL DEADLINES  
3 FALLING ON A HOLIDAY.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 103-5(a) reads as rewritten:

6 "**§ 103-5. Acts to be done on Sunday or holidays.**

7 (a) Where the day or the last day for doing ~~an~~any act required or permitted by  
8 law to be ~~done~~performed in a public office or courthouse falls on ~~Sunday or a holiday~~a  
9 day when the public office or courthouse is closed, the act may be ~~done~~performed  
10 the next succeeding secular or business day that the public office or courthouse is  
11 open, and where the courthouse in any county is closed on Saturday or any other day by  
12 order of the board of county commissioners of said county and the day or the last day  
13 required for filing an advance bid or the filing of any pleading or written instrument of  
14 any kind with any officer having an office in the courthouse, or the performance of any  
15 act required or permitted to be done in said courthouse falls on Saturday or other day  
16 during which said courthouse is closed as aforesaid, then said Saturday or other day  
17 during which said courthouse is closed as aforesaid shall be deemed a holiday; and said  
18 advance bid, pleading or other written instrument may be filed, and any act required or  
19 permitted to be done in the courthouse may be done on the next day during which the  
20 courthouse is open for business."

21 SECTION 2. Article 2A of Chapter 45 is amended by adding a new section  
22 to read:

23 "**§ 45-21.27A. Sales on Sundays and holidays.**

24 Where the last day for performing any act required under this Article falls on a day  
25 when the courthouse is closed, the act may be performed on the next succeeding day  
26 when the courthouse is open."

27 SECTION 3. This act becomes effective October 1, 2003, and applies to any  
28 act required or permitted by law to be done on or after that date.