

**§ 45-36.5. Notification: manner of giving and effective date.**

- (a) A person gives a notification by any of the following:
  - (1) Depositing it with the United States Postal Service with first-class postage paid or with a commercially reasonable delivery service with cost of delivery provided, properly addressed to the recipient's address for giving a notification.
  - (2) Sending it by facsimile transmission, electronic mail, or other electronic transmission to the recipient's address for giving a notification, but only if the recipient agreed to receive notification in that manner.
  - (3) Causing it to be received at the address for giving a notification within the time that it would have been received if given pursuant to subdivision (1) of this subsection.
- (b) A notification is effective on any of the following:
  - (1) The day after it is deposited with a commercially reasonable delivery service for overnight delivery.
  - (2) Three days after it is deposited with the United States Postal Service, first-class mail with postage prepaid, or with a commercially reasonable delivery service for delivery other than by overnight delivery.
  - (3) The day it is given, if given pursuant to subdivision (a)(2) of this section.
  - (4) The day it is received, if given by a method other than as provided in subdivision (a)(1) or (a)(2) of this section.
- (c) If this Article or a notification given pursuant to this Article requires performance on or by a certain day and that day is a Saturday, Sunday, or legal holiday under the laws of this State or the United States, the performance is sufficient if performed on the next day that is not a Saturday, Sunday, or legal holiday. (2005-123, s. 1.)