

## AMENDMENTS TO HOUSE BILL NO. 1471

Sponsor: REPRESENTATIVE CHRISTIANA

Printer's No. 1876

1 Amend Bill, page 1, line 12, by inserting a bracket before

2 "(a)"

3 Amend Bill, page 2, lines 3 through 22, by striking out "The  
4 flags" in line 3 and all of lines 4 through 22

5 Amend Bill, page 2, line 29, by striking out the bracket  
6 before "(d)"

7 Amend Bill, page 3, line 2, by inserting after "graves.]"

8 (a) It shall be the duty of the county commissioners to  
9 provide flags on each Memorial Day with which to decorate each  
10 grave of a deceased service person and each grave of other  
11 deceased persons who served in the Army, Navy, Air Force, Marine  
12 Corps, Coast Guard or Merchant Marine during World War II or any  
13 organization officially connected to those forces, whose  
14 separation from service was honorable, whether by discharge or  
15 otherwise, and who are interred within the county. The flags to  
16 be used shall be standard size, colorfast and American made and  
17 shall be purchased at the expense of the county from money in  
18 the county treasury.

19 (b) A family member of a person whose grave is decorated  
20 with a flag by the county for the purpose of Memorial Day may  
21 take and keep the flag after the first working day after  
22 Veterans' Day.

23 (c) The county may coordinate with local veterans'  
24 organizations to ensure that cemeteries are decorated in  
25 compliance with this section. Flags shall be furnished to the  
26 various veterans' organizations in an amount needed for the  
27 respective communities. Notwithstanding subsection (a), a  
28 cemetery may remove flags as part of the cemetery's normal  
29 course of maintenance not before the first working day after  
30 Independence Day, but prior to Veterans' Day, provided that the  
31 cemetery makes the flags available to family members, veterans'  
32 organizations or other community organizations for the purpose  
33 of decorating graves in recognition of Veterans' Day.

1 (d) Money expended by the county under this section shall be  
2 in addition to money appropriated by the county for Memorial Day  
3 purposes.

4 (e) Annually, the authority in charge of each cemetery is  
5 authorized to remove a flag when the flag has become unsightly  
6 or weatherworn any time on or after the first working day after  
7 Veterans' Day. Prior to Veterans' Day, a cemetery may request  
8 replacement flags from the county which may be used by the  
9 cemetery to replace weatherworn flags, if replacement flags are  
10 available.

11 (f) A cemetery may remove flag holders for annual storage  
12 upon the authorized removal of flags under subsections (c) and  
13 (e).

14 (g) Except as provided for under this section, a person,  
15 other than a family member removing the flag from a deceased  
16 relative's grave, who removes or causes the removal of flags  
17 prior to the first working day after Independence Day shall be  
18 guilty of a summary offense and, upon conviction, shall be  
19 sentenced to pay a fine of three hundred dollars (\$300). A  
20 person who fails to pay a fine assessed pursuant to this section  
21 shall be sentenced to prison for a term not to exceed ninety  
22 days.

23 (h) A cemetery or an owner, employee, agent or contractor of  
24 a cemetery who removes or causes the removal of a flag, grave  
25 marker, headstone, flag holder or other memorial in good faith  
26 in the course of maintenance, repair or mitigation of damage  
27 shall not be subject to subsection (g) or section 2113(k)(1).