

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1793 Session of
2003

INTRODUCED BY FAIRCHILD, HERMAN, SEMMEL, PHILLIPS, BAKER,
BASTIAN, BEBKO-JONES, BELFANTI, BENNINGHOFF, BOYD, BROWNE,
CAPPELLI, CORRIGAN, COY, CREIGHTON, CRUZ, DALEY, DeWEESE,
FABRIZIO, FICHTER, FREEMAN, GABIG, GEIST, GEORGE, GERGELY,
GINGRICH, GOODMAN, GRUCELA, HARHAI, HARHART, HARRIS,
HENNESSEY, HESS, HORSEY, JAMES, KELLER, KOTIK, LAUGHLIN,
LEDERER, LEH, MAJOR, MANN, MARKOSEK, McNAUGHTON, METCALFE,
R. MILLER, NAILOR, O'NEILL, PAYNE, PICKETT, PISTELLA,
READSHAW, REICHLEY, ROBERTS, ROHRER, ROONEY, RUBLEY, SAYLOR,
SCAVELLO, SOLOBAY, SURRA, E. Z. TAYLOR, J. TAYLOR, TIGUE,
WALKO, WASHINGTON, WHEATLEY, WOJNAROSKI, YOUNGBLOOD, YUDICHAK
AND ZUG, JULY 1, 2003

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, JULY 1, 2003

AN ACT

1 Amending the act of July 28, 1953 (P.L.723, No.230), entitled,
2 as amended, "An act relating to counties of the second class
3 and second class A; amending, revising, consolidating and
4 changing the laws relating thereto," further providing for
5 markers on graves and for flags to decorate graves.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 2113(a), (f) and (g) of the act of July
9 28, 1953 (P.L.723, No.230), known as the Second Class County
10 Code, amended October 5, 1990 (P.L.519, No.125), are amended to
11 read:

12 Section 2113. Markers on Graves; Memorial Certificates;
13 Headstones.--(a) The county commissioners of the county shall
14 from time to time, as they consider expedient, procure

1 appropriate markers for the graves of deceased service persons
2 and the graves of all other deceased persons who served in the
3 Army, Navy, Air Force, Marine Corps, Coast Guard, merchant
4 marine during World War II or any organization officially
5 connected therewith and whose separation from such service was
6 honorable, whether by discharge or otherwise. Such markers shall
7 be of cast bronze, but no board of commissioners shall be
8 required to discard any markers of other materials already
9 purchased, whether or not already installed. No new markers
10 shall in the future be purchased of metal other than cast
11 bronze. Suitable nonmetal substitutes may be used during periods
12 of national emergency, so proclaimed by the President of the
13 United States, when all available metals are required for war
14 materials.

15 * * *

16 (f) The county commissioners of the county are hereby
17 authorized and directed to place a marker upon the grave of each
18 deceased service person and the graves of all other deceased
19 persons who served in the Army, Navy, Air Force, Marine Corps,
20 Coast Guard, merchant marine during World War II or any
21 organization officially connected therewith and whose separation
22 from such service was honorable, whether by discharge or
23 otherwise, who, at the time of his or her death, had his or her
24 legal residence in the county, whether or not he or she died in
25 the county and whether or not he or she was buried in the
26 county, and upon the grave of each deceased service person
27 buried in the county who, at the time of his or her death, did
28 not have a legal residence within this Commonwealth. When such
29 deceased service person shall have been a veteran of any war or
30 campaign for which the Government of the United States issued

1 discharge buttons, the markers designated for their graves shall
2 include a facsimile of said discharge button. When such markers
3 are upright flag holders they shall consist of cast bronze or
4 any other weather resistant material. When such deceased service
5 person shall have been a veteran of the Korean Conflict, the
6 markers designated for their graves shall include a circular
7 emblem with the words "Korea, U.S., 1950-1953" in the border
8 thereof, and shall incorporate the insignia of the Army, Navy,
9 Marine Corps, Air Force, and Coast Guard, in the form approved
10 by the Veterans' Commission. In lieu of placing an upright flag
11 holder on the grave, if the next of kin of a veteran so
12 requests, a memorial certificate may be issued to the next-of-
13 kin of a deceased service person who at the time of his or her
14 death had his or her legal residence in the county, whether or
15 not he or she died in the county and whether or not he or she
16 was buried in the county. The memorial certificate shall
17 indicate the deceased service person's name and designate the
18 war or campaign in which the deceased service person served.

19 (g) It shall be the duty of the county commissioners of the
20 county upon or at any time subsequent to the death of any
21 deceased service person who, at the time of his or her death,
22 had his or her legal residence in the county, on application as
23 hereinafter provided, to cause a headstone or bronze memorial
24 tablet to be placed at the head of or on the grave of each such
25 deceased service person and the graves of all other deceased
26 persons who served in the Army, Navy, Air Force, Marine Corps,
27 Coast Guard, merchant marine during World War II or any
28 organization officially connected therewith and whose separation
29 from such service was honorable, whether by discharge or
30 otherwise.

1 * * *

2 Section 2. Section 2122(a) of the act is amended to read:

3 Section 2122. Flags to Decorate Graves.--(a) It shall be
4 the duty of the county commissioners to provide flags on each
5 Memorial Day with which to decorate the graves of all deceased
6 service persons and the graves of all other deceased persons who
7 served in the Army, Navy, Air Force, Marine Corps, Coast Guard,
8 merchant marine during World War II or any organization
9 officially connected therewith and whose separation from such
10 service was honorable, whether by discharge or otherwise, buried
11 within the county. The flags to be used for said purposes shall
12 be of one standard size, and shall be purchased at the expense
13 of the county from moneys in the county treasury.

14 * * *

15 Section 3. This act shall take effect in 60 days.