

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 776 Session of
2007

INTRODUCED BY FAIRCHILD, GRUCELA, SAYLOR, SOLOBAY, GOODMAN,
BAKER, BARRAR, BASTIAN, BELFANTI, BENNINGHOFF, BOYD, BUXTON,
CALTAGIRONE, CAPPELLI, CARROLL, COHEN, CONKLIN, COSTA, COX,
CREIGHTON, CURRY, DALEY, DALLY, DeLUCA, DENLINGER,
DePASQUALE, EVERETT, FABRIZIO, FRANKEL, FREEMAN, GABIG,
GEIST, GEORGE, GERGELY, GIBBONS, GRELL, HARHART, HARPER,
HARRIS, HENNESSEY, HERSHEY, HESS, HICKERNELL, HUTCHINSON,
M. KELLER, KILLION, KOTIK, KULA, LEACH, MAJOR, MARKOSEK,
MARSICO, McILHATTAN, MENSCH, METCALFE, MICOZZIE, R. MILLER,
MOUL, MOYER, MURT, MUSTIO, NAILOR, M. O'BRIEN, O'NEILL,
PAYNE, PEIFER, PETRARCA, PETRONE, PHILLIPS, PICKETT, PYLE,
RAPP, REED, REICHLEY, ROAE, RUBLEY, SAINATO, SANTONI,
SCAVELLO, SCHRODER, SIPTROTH, SONNEY, STERN, R. STEVENSON,
SURRA, TANGRETTI, TRUE, WALKO, J. WHITE AND YOUNGBLOOD,
MARCH 19, 2007

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 19, 2007

AN ACT

1 Amending the act of August 9, 1955 (P.L.323, No.130), entitled,
2 as amended, "An act relating to counties of the first, third,
3 fourth, fifth, sixth, seventh and eighth classes; amending,
4 revising, consolidating and changing the laws relating
5 thereto; relating to imposition of excise taxes by counties,
6 including authorizing imposition of an excise tax on the
7 rental of motor vehicles by counties of the first class; and
8 providing for regional renaissance initiatives," further
9 providing for flags and grave markers of certain deceased
10 service persons.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 1913(a), (f) and (g) of the act of August
14 9, 1955 (P.L.323, No.130), known as The County Code, amended
15 July 25, 1975 (P.L.95, No.48), are amended to read:

1 Section 1913. Markers for Graves; Headstones.--(a) The
2 county commissioners of each county shall, from time to time as
3 they consider expedient, procure appropriate markers for the
4 graves of deceased service persons and the graves of all other
5 deceased persons who served in the Army, Navy, Air Force, Marine
6 Corps, Coast Guard or Merchant Marine during World War II, or
7 any organization officially connected therewith and whose
8 separation from such service was honorable, whether by discharge
9 or otherwise. Such markers shall be of cast bronze but no board
10 of commissioners shall be required to discard any markers of
11 other materials already purchased, whether or not already
12 installed. No new markers shall, in the future, be purchased of
13 metal other than cast bronze. Suitable nonmetal substitutes may
14 be used during periods of national emergency, so proclaimed by
15 the President of the United States, when all available metals
16 are required for war materials.

17 * * *

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

1 deceased service person shall have been a veteran of any war or
2 campaign for which the Government of the United States issued
3 discharge buttons, the markers designated for their graves shall
4 include a facsimile of said discharge button. When such markers
5 are upright flag holders they shall consist of cast bronze or
6 any other weather resistant material. When such deceased service
7 person shall have been a veteran of the Korean Conflict, the
8 markers designated for their graves shall include a circular
9 emblem with the words "Korea, U.S., 1950-1953" in the border
10 thereof, and shall incorporate the insignia of the Army, Navy,
11 Marine Corps, Air Force, and Coast Guard, in the form approved
12 by the State Veterans' Commission.

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

25 * * *

26 Section 2. Section 1922(a) of the act, amended June 12, 1986
27 (P.L.253, No.66), is amended to read:

28 Section 1922. Flags to Decorate Graves.--(a) It shall be
29 the duty of the county commissioners to provide flags on each
30 Memorial Day with which to decorate the graves of all deceased

1 service persons and the graves of all other deceased persons who
2 served in the Army, Navy, Air Force, Marine Corps, Coast Guard
3 or Merchant Marine during World War II, or any organization
4 officially connected therewith and whose separation from such
5 service was honorable, whether by discharge or otherwise, buried
6 within the county. The flags to be used for such purposes shall
7 be of one standard size, colorfast and American made, and shall
8 be purchased at the expense of the county from moneys in the
9 county treasury.

10 * * *

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