

## 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, YOUNGBLOOD, PERRY,  
CAUSER, KORTZ AND MANTZ, MARCH 19, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JANUARY 14, 2008

## 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), (B), (f) and (g) of the act of <—  
14 August 9, 1955 (P.L.323, No.130), known as The County Code,  
15 amended 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.], ALUMINUM OR A SUITABLE <—  
17 SUBSTITUTE MATERIAL.

18       (B) THE COUNTY COMMISSIONERS SHALL PROCURE BRONZE, ALUMINUM <—  
19 OR SUITABLE SUBSTITUTE MATERIAL MARKERS FROM SOME MANUFACTURER  
20 OR MANUFACTURERS, ENGAGED IN THE MANUFACTURING OF THE SAME, AND  
21 IN THE CONTRACT FOR THE FURNISHING THEREOF, THE MANUFACTURER  
22 FURNISHING THE BRONZE MARKERS SHALL WARRANT THAT THE SAME ARE  
23 MADE OF THE FOLLOWING METALS, AND IN THE FOLLOWING PROPORTIONS:  
24 COPPER, EIGHTY-FIVE PER CENTUM; TIN, FIVE PER CENTUM; ZINC, FIVE  
25 PER CENTUM; AND LEAD, FIVE PER CENTUM.

26       \* \* \*

27       (f) The county commissioners of each county are hereby  
28 authorized and directed to place a marker upon the grave of each  
29 deceased service person and the graves of all other deceased  
30 persons who served in the Army, Navy, Air Force, Marine Corps,

1 Coast Guard or Merchant Marine during World War II, or any  
2 organization officially connected therewith and whose separation  
3 from such service was honorable, whether by discharge or  
4 otherwise, who at the time of his or her death had his or her  
5 legal residence in the county, whether or not he or she died in  
6 the county, and whether or not he or she was buried in the  
7 county, and upon the grave of each deceased service person  
8 buried in the county, who at the time of his or her death did  
9 not have a legal residence within this Commonwealth. When such  
10 deceased service person shall have been a veteran of any war or  
11 campaign for which the Government of the United States issued  
12 discharge buttons, the markers designated for their graves shall  
13 include a facsimile of said discharge button. When such markers  
14 are upright flag holders they shall consist of cast bronze or  
15 any other weather resistant material. When such deceased service  
16 person shall have been a veteran of the Korean Conflict, the  
17 markers designated for their graves shall include a circular  
18 emblem with the words "Korea, U.S., 1950-1953" in the border  
19 thereof, and shall incorporate the insignia of the Army, Navy,  
20 Marine Corps, Air Force, and Coast Guard, in the form approved  
21 by the State Veterans' Commission.

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

1 provided, to cause a headstone or bronze memorial tablet to be  
2 placed at the head of or on the grave of each such deceased  
3 service person.

4 \* \* \*

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

7 Section 1922. Flags to Decorate Graves.--(a) It shall be  
8 the duty of the county commissioners to provide flags on each  
9 Memorial Day with which to decorate the graves of all deceased  
10 service persons and the graves of all other deceased persons who  
11 served in the Army, Navy, Air Force, Marine Corps, Coast Guard  
12 or Merchant Marine during World War II, or any organization  
13 officially connected therewith and whose separation from such  
14 service was honorable, whether by discharge or otherwise, buried  
15 within the county. The flags to be used for such purposes shall  
16 be of one standard size, colorfast and American made, and shall  
17 be purchased at the expense of the county from moneys in the  
18 county treasury.

19 \* \* \*

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