

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 777 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 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;

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

17 * * *

18 (f) The county commissioners of the 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, 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 Veterans' Commission. In lieu of placing an upright flag
13 holder on the grave, if the next of kin of a veteran so
14 requests, a memorial certificate may be issued to the next-of-
15 kin of a deceased service person who at the time of his or her
16 death had his or her legal residence in the county, whether or
17 not he or she died in the county and whether or not he or she
18 was buried in the county. The memorial certificate shall
19 indicate the deceased service person's name and designate the
20 war or campaign in which the deceased service person served.

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

1 from such service was honorable, whether by discharge or
2 otherwise.

3 * * *

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

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

16 * * *

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