

1961, to June 30, 1965, shall be entitled to receive a supplemental State annuity during the period beginning June 1, 1961, or date of disability retirement, whichever is later, and ending [June 30] August 31, 1967. Such supplemental State annuity shall be equivalent to the amount by which the superannuation retirement allowance prior to any optional modification or the disability allowance to which he is entitled under the laws governing the State Employees' Retirement System is less than sixty-five dollars (\$65) for each year of credited service not in excess of forty years: Provided, however, That the sum of (a) the retirement allowance prior to optional modification or the disability allowance payable under the laws governing the State Employees' Retirement System, (b) any social security old age or disability insurance benefit (primary insurance amount) attributable to service as a State employe, and (c) the supplemental State annuity shall not exceed two thousand six hundred dollars (\$2,600) per year.

Section 2. This act shall take effect immediately and shall be applicable from June 30, 1967.

APPROVED—The 3d day of August, A. D. 1967.

RAYMOND P. SHAFER

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No. 65

AN ACT

HB 1270

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," increasing the penalty for desecration of flags.

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

Section 1. Section 211, act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended to read:

Section 211. Desecration of Flag.—Whoever, in any manner, for exhibition or display, places or causes to be placed any word, figure, mark, picture, design, drawing, or any advertisement, of any nature, upon any flag, standard, color or ensign of the United States, or of this State; or exposes or causes to be exposed to public view any such flag, standard, color or ensign upon which shall be printed, painted or otherwise placed, or to which shall be attached, appended, affixed or annexed, any word, figure, mark, picture, design or drawing or any advertisement, of any nature; or exposes to public view, <sup>1</sup>manufac-

<sup>1</sup> "manufacturers" in original.

tures, sells, exposes for sale, gives away, or has in possession for sale or for gift, or for use, for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise, upon which shall have been printed, painted, attached or otherwise placed a representation of any such flag, standard, color or ensign, to advertise, call attention to, decorate, mark or distinguish, for the purpose of sale, barter or trade, the article or substance on which so placed; or publicly or privately mutilates, defaces, defiles or tramples upon, or casts contempt either by words or act upon, any such flag, standard, color or ensign, is guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding [two hundred dollars (\$200),] one thousand dollars (\$1,000), or undergo imprisonment for not more than [six (6) months] one (1) year, or both.

The words, flag, standard, color, or ensign, as used in this section, shall include any flag, standard, color, ensign, or any picture or representation of either thereof, made of any substance or represented on any substance, and of any size, evidently purporting to be either of said flag, standard, color or ensign of the United States of America or of this State, or a picture or a representation of either thereof, upon which shall be shown the colors, or any color, or any combination of colors, or either the stars or the stripes, or the stars and the stripes, in any number of either thereof, or anything which the person seeing the same, without deliberation, may believe the same to represent the flag, colors, standard, or ensign of the United States, or of this State.

This section does not apply to any act permitted by the statute of the United States of America, or by the United States army and navy regulations; nor in case where the Government of the United States has granted the use of such flag, standard, color, or ensign as a trademark; nor does it apply to a newspaper, periodical, book, pamphlet, circular, certificate, diploma, warrant, or commission of appointment to office, ornamental picture, or badges, or stationery for use in correspondence, on any of which shall be printed, painted, or placed said flag, or representation thereof, disconnected from any advertisement for the purpose of sale, barter, or trade; nor does it apply to any patriotic or political demonstration or decorations.

Section 2. This act shall take effect immediately.

APPROVED—The 8th day of August, A. D. 1967.

RAYMOND P. SHAFER

No. 66

AN ACT

HB 1414

Amending the act of August 24, 1951 (P. L. 1304), entitled, as amended, "An act to improve local health administration throughout the Commonwealth by authorizing