

No. 2008-22

AN ACT

HB 776

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

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

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

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

(b) The county commissioners shall procure bronze, *aluminum or suitable substitute material* markers from some manufacturer or manufacturers, engaged in the manufacturing of the same, and in the contract for the furnishing thereof, the manufacturer furnishing the bronze markers shall warrant that the same are made of the following metals, and in the following proportions: copper, eighty-five per centum; tin, five per centum; zinc, five per centum; and lead, five per centum.

* * *

(f) The county commissioners of each county are hereby authorized and directed to place a marker upon the grave of each deceased service person *and the graves of all other deceased persons who served in the Army, Navy, Air Force, Marine Corps, Coast Guard, Merchant Marine during World War II or any organization officially connected therewith and whose*

separation from such service was honorable, whether by discharge or otherwise, who, at the time of his or her death, had his or her legal residence in the county, whether or not he or she died in the county, and whether or not he or she was buried in the county, and upon the grave of each deceased service person buried in the county, who at the time of his or her death did not have a legal residence within this Commonwealth. When such deceased service person shall have been a veteran of any war or campaign for which the Government of the United States issued discharge buttons, the markers designated for their graves shall include a facsimile of said discharge button. When such markers are upright flag holders they shall consist of cast bronze or any other weather resistant material. When such deceased service person shall have been a veteran of the Korean Conflict, the markers designated for their graves shall include a circular emblem with the words "Korea, U.S., 1950-1953" in the border thereof, and shall incorporate the insignia of the Army, Navy, Marine Corps, Air Force, and Coast Guard, in the form approved by the State Veterans' Commission.

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

* * *

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

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

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

APPROVED—The 11th day of June, A.D. 2008.

EDWARD G. RENDELL