

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 428

A bill to amend 1915 PA 63, entitled

"An act to provide for the furnishing of suitable flag holders and United States flags for the graves of veterans who served in the armed forces of the United States for the marking and designation of the graves for memorial purposes; and to provide a penalty for the removal or destruction of the flag holders and United States flags when placed,"

by amending sections 1 and 1a (MCL 35.831 and 35.831a), as amended by 2006 PA 627.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The legislative body of a city, village,
2 municipality, or township in this state, upon the petition of a
3 local ~~or~~ **RECOGNIZED VETERANS' ORGANIZATION**, an affiliate of ~~a~~
4 recognized veterans' organization, or ~~of~~ ⁵ eligible voters of the
5 city, village, municipality, or township, shall procure for and
6 furnish to the petitioners, at the expense of the city, village,
7 municipality, or township, a suitable flag holder and United States

1 flag for the grave of each veteran who served in the armed forces
2 of the United States and who is buried within the limits of a
3 public or private cemetery located within the city, village,
4 municipality, or township. The requirement to provide a suitable
5 flag holder and United States flag for private cemeteries does not
6 apply in the ~~current~~ fiscal year ~~where~~ **IN WHICH** an initial request
7 for a suitable flag holder and United States flag exceeds 50 graves
8 within a particular township, but would apply in the ~~following~~
9 **IMMEDIATELY SUCCEEDING** fiscal year ~~at~~ **IN** that township.

10 (2) A flag holder and United States flag shall be placed on
11 the grave of a veteran for the purpose of marking and designating
12 the grave for memorial purposes.

13 (3) **A CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP SHALL NOT**
14 **PURCHASE FLAG HOLDERS OR UNITED STATES FLAGS ASSEMBLED OR**
15 **MANUFACTURED OUTSIDE OF THE UNITED STATES IF COMPETITIVELY PRICED**
16 **AND OF COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS MADE**
17 **IN THIS STATE OR ELSEWHERE IN THE UNITED STATES ARE AVAILABLE. IF A**
18 **CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP PURCHASES FLAG HOLDERS OR**
19 **UNITED STATES FLAGS ASSEMBLED OR MANUFACTURED OUTSIDE OF THE UNITED**
20 **STATES BECAUSE COMPETITIVELY PRICED AND COMPARABLE QUALITY FLAG**
21 **HOLDERS OR UNITED STATES FLAGS MADE IN THIS STATE OR ELSEWHERE IN**
22 **THE UNITED STATES WERE NOT AVAILABLE, THAT CITY, VILLAGE,**
23 **MUNICIPALITY, OR TOWNSHIP SHALL POST ON A WEBSITE MAINTAINED BY**
24 **THAT CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP NOTIFICATION THAT THE**
25 **CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP PURCHASED FLAG HOLDERS OR**
26 **UNITED STATES FLAGS ASSEMBLED OR MANUFACTURED OUTSIDE OF THE UNITED**
27 **STATES BECAUSE COMPETITIVELY PRICED AND COMPARABLE QUALITY FLAG**

1 HOLDERS OR UNITED STATES FLAGS MADE IN THIS STATE OR ELSEWHERE IN
2 THE UNITED STATES WERE NOT AVAILABLE, AND THAT CITY, VILLAGE,
3 MUNICIPALITY, OR TOWNSHIP SHALL ALSO POST ON THAT WEBSITE THE
4 COUNTRY OF ORIGIN OF THE FLAG HOLDERS OR UNITED STATES FLAGS
5 PURCHASED. IF A CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP PURCHASES
6 FLAG HOLDERS OR UNITED STATES FLAGS ASSEMBLED OR MANUFACTURED
7 OUTSIDE OF THE UNITED STATES BECAUSE COMPETITIVELY PRICED AND
8 COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS MADE IN THIS
9 STATE OR ELSEWHERE IN THE UNITED STATES WERE NOT AVAILABLE, AND
10 THAT CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP DOES NOT MAINTAIN A
11 WEBSITE, THAT CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP SHALL POST
12 AT ITS PRINCIPAL OFFICE AND ANY OTHER LOCATIONS CONSIDERED
13 APPROPRIATE BY THAT CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP
14 NOTIFICATION THAT THE CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP
15 PURCHASED FLAG HOLDERS OR UNITED STATES FLAGS ASSEMBLED OR
16 MANUFACTURED OUTSIDE OF THE UNITED STATES BECAUSE COMPETITIVELY
17 PRICED AND COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS
18 MADE IN THIS STATE OR ELSEWHERE IN THE UNITED STATES WERE NOT
19 AVAILABLE, AND THAT CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP SHALL
20 ALSO POST AT ITS PRINCIPAL OFFICE AND ANY OTHER LOCATIONS
21 CONSIDERED APPROPRIATE BY THAT CITY, VILLAGE, MUNICIPALITY, OR
22 TOWNSHIP THE COUNTRY OF ORIGIN OF THE FLAG HOLDERS OR UNITED STATES
23 FLAGS PURCHASED. IF A CITY, VILLAGE, MUNICIPALITY, OR TOWNSHIP DOES
24 NOT COMPLY WITH THIS SUBSECTION, THAT CITY, VILLAGE, MUNICIPALITY,
25 OR TOWNSHIP IS RESPONSIBLE FOR A STATE CIVIL INFRACTION AND MAY BE
26 ORDERED TO PAY A CIVIL FINE OF NOT MORE THAN \$500.00. AS USED IN
27 THIS SUBSECTION, "UNITED STATES" INCLUDES TERRITORIES OF THE UNITED

1 STATES AND THE DISTRICT OF COLUMBIA.

2 Sec. 1a. (1) The legislative body of a county in this state,
3 upon petition of a local ~~—~~RECOGNIZED VETERANS' ORGANIZATION, or a
4 local affiliate of ~~—~~a recognized veterans' organization, or of 5
5 eligible voters of the county, may procure for and furnish to the
6 petitioners, at the expense of the county, a suitable flag holder
7 and United States flag for the grave of each veteran who served in
8 the armed forces of the United States and who is buried in any
9 public or private cemetery located within the limits of the county.

10 (2) A flag holder and United States flag shall be placed on
11 the grave of a veteran for the purpose of marking and designating
12 the grave for memorial purposes.

13 (3) A COUNTY SHALL NOT PURCHASE FLAG HOLDERS OR UNITED STATES
14 FLAGS ASSEMBLED OR MANUFACTURED OUTSIDE OF THE UNITED STATES IF
15 COMPETITIVELY PRICED AND OF COMPARABLE QUALITY FLAG HOLDERS OR
16 UNITED STATES FLAGS MADE IN THIS STATE OR ELSEWHERE IN THE UNITED
17 STATES ARE AVAILABLE. IF A COUNTY PURCHASES FLAG HOLDERS OR UNITED
18 STATES FLAGS ASSEMBLED OR MANUFACTURED OUTSIDE OF THE UNITED STATES
19 BECAUSE COMPETITIVELY PRICED AND COMPARABLE QUALITY FLAG HOLDERS OR
20 UNITED STATES FLAGS MADE IN THIS STATE OR ELSEWHERE IN THE UNITED
21 STATES WERE NOT AVAILABLE, THAT COUNTY SHALL POST ON A WEBSITE
22 MAINTAINED BY THAT COUNTY NOTIFICATION THAT THE COUNTY PURCHASED
23 FLAG HOLDERS OR UNITED STATES FLAGS ASSEMBLED OR MANUFACTURED
24 OUTSIDE OF THE UNITED STATES BECAUSE COMPETITIVELY PRICED AND
25 COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS MADE IN THIS
26 STATE OR ELSEWHERE IN THE UNITED STATES WERE NOT AVAILABLE, AND
27 THAT COUNTY SHALL ALSO POST ON THAT WEBSITE THE COUNTRY OF ORIGIN

1 OF THE FLAG HOLDERS OR UNITED STATES FLAGS PURCHASED. IF A COUNTY
2 PURCHASES FLAG HOLDERS OR UNITED STATES FLAGS ASSEMBLED OR
3 MANUFACTURED OUTSIDE OF THE UNITED STATES BECAUSE COMPETITIVELY
4 PRICED AND COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS
5 MADE IN THIS STATE OR ELSEWHERE IN THE UNITED STATES WERE NOT
6 AVAILABLE, AND THAT COUNTY DOES NOT MAINTAIN A WEBSITE, THAT COUNTY
7 SHALL POST AT ITS PRINCIPAL OFFICE AND ANY OTHER LOCATIONS
8 CONSIDERED APPROPRIATE BY THAT COUNTY NOTIFICATION THAT THE COUNTY
9 PURCHASED FLAG HOLDERS OR UNITED STATES FLAGS ASSEMBLED OR
10 MANUFACTURED OUTSIDE OF THE UNITED STATES BECAUSE COMPETITIVELY
11 PRICED AND COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS
12 MADE IN THIS STATE OR ELSEWHERE IN THE UNITED STATES WERE NOT
13 AVAILABLE, AND THAT COUNTY SHALL ALSO POST AT ITS PRINCIPAL OFFICE
14 AND ANY OTHER LOCATIONS CONSIDERED APPROPRIATE BY THAT COUNTY THE
15 COUNTRY OF ORIGIN OF THE FLAG HOLDERS OR UNITED STATES FLAGS
16 PURCHASED. IF A COUNTY DOES NOT COMPLY WITH THIS SUBSECTION, THAT
17 COUNTY IS RESPONSIBLE FOR A STATE CIVIL INFRACTION AND MAY BE
18 ORDERED TO PAY A CIVIL FINE OF NOT MORE THAN \$500.00. AS USED IN
19 THIS SUBSECTION, "UNITED STATES" INCLUDES TERRITORIES OF THE UNITED
20 STATES AND THE DISTRICT OF COLUMBIA.

21 Enacting section 1. This amendatory act takes effect 90 days
22 after the date it is enacted into law.