

# SENATE BILL No. 428

June 12, 2013, Introduced by Senators KAHN, GREEN, MARLEAU, PROOS and NOFS and referred to the Committee on Veterans, Military Affairs and Homeland Security.

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~~ <sup>5</sup> 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.

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

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

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

1 OUTSIDE OF THE UNITED STATES BECAUSE COMPETITIVELY PRICED AND  
2 COMPARABLE QUALITY FLAG HOLDERS OR UNITED STATES FLAGS MADE IN THIS  
3 STATE OR ELSEWHERE IN THE UNITED STATES WERE NOT AVAILABLE, AND  
4 THAT COUNTY SHALL ALSO POST ON THAT WEBSITE THE COUNTRY OF ORIGIN  
5 OF THE FLAG HOLDERS OR UNITED STATES FLAGS PURCHASED.