

Act No. 19
Public Acts of 2014
Approved by the Governor
February 25, 2014
Filed with the Secretary of State
February 25, 2014
EFFECTIVE DATE: May 26, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2014**

Introduced by Senators Kahn, Green, Marleau, Proos and Nofs

ENROLLED SENATE BILL No. 428

AN ACT 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:

Sec. 1. (1) The legislative body of a city, village, municipality, or township in this state, upon the petition of a local recognized veterans' organization, an affiliate of a recognized veterans' organization, or 5 eligible voters of the city, village, municipality, or township, shall procure for and furnish to the petitioners, at the expense of the city, village, municipality, or township, a suitable flag holder and United States flag for the grave of each veteran who served in the armed forces of the United States and who is buried within the limits of a public or private cemetery located within the city, village, municipality, or township. The requirement to provide a suitable flag holder and United States flag for private cemeteries does not apply in the fiscal year in which an initial request for a suitable flag holder and United States flag exceeds 50 graves within a particular township, but would apply in the immediately succeeding fiscal year in that township.

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

(3) A city, village, municipality, or township shall not purchase flag holders or United States flags assembled or manufactured outside of the United States if competitively priced and of comparable quality flag holders or United States flags made in this state or elsewhere in the United States are available. If a city, village, municipality, or township purchases flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, that city, village, municipality, or township shall post on a website maintained by that city, village, municipality, or township notification that the city, village, municipality, or township purchased flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, and that city, village, municipality, or township shall also post on that website the country of origin of the flag holders or United States flags purchased. If a city, village, municipality, or township purchases flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, and that city, village, municipality, or township does not maintain a website, that city, village, municipality, or township shall post at its principal office and any other locations considered appropriate by that city, village, municipality, or township notification that the city, village, municipality, or township purchased flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag

holders or United States flags made in this state or elsewhere in the United States were not available, and that city, village, municipality, or township shall also post at its principal office and any other locations considered appropriate by that city, village, municipality, or township the country of origin of the flag holders or United States flags purchased. If a city, village, municipality, or township does not comply with this subsection, that city, village, municipality, or township is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00. As used in this subsection, "United States" includes territories of the United States and the District of Columbia.

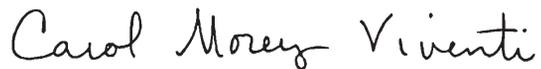
Sec. 1a. (1) The legislative body of a county in this state, upon petition of a local recognized veterans' organization, or a local affiliate of a recognized veterans' organization, or of 5 eligible voters of the county, may procure for and furnish to the petitioners, at the expense of the county, a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

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

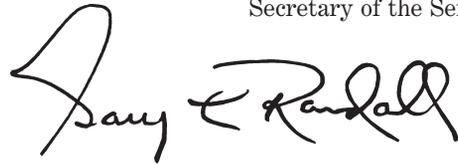
(3) A county shall not purchase flag holders or United States flags assembled or manufactured outside of the United States if competitively priced and of comparable quality flag holders or United States flags made in this state or elsewhere in the United States are available. If a county purchases flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, that county shall post on a website maintained by that county notification that the county purchased flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, and that county shall also post on that website the country of origin of the flag holders or United States flags purchased. If a county purchases flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, and that county does not maintain a website, that county shall post at its principal office and any other locations considered appropriate by that county notification that the county purchased flag holders or United States flags assembled or manufactured outside of the United States because competitively priced and comparable quality flag holders or United States flags made in this state or elsewhere in the United States were not available, and that county shall also post at its principal office and any other locations considered appropriate by that county the country of origin of the flag holders or United States flags purchased. If a county does not comply with this subsection, that county is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00. As used in this subsection, "United States" includes territories of the United States and the District of Columbia.

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

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor