

HOUSE No. 01820

The Commonwealth of Massachusetts

PRESENTED BY:

David B. Sullivan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act protecting graves of veterans.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David B. Sullivan</i>	<i>6th Bristol</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>John P. Fresolo</i>	<i>16th Worcester</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>

HOUSE No. 01820

By Mr. David B. Sullivan of Fall River, petition (accompanied by bill, House, No. 01820) of Carolyn C. Dykema and others for legislation to protect graves of veterans. Joint Committee on Veterans and Federal Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 3404 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act protecting graves of veterans.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1: Chapter 115 of the General Laws, as appearing in the 2008 Official Edition, is
- 2 hereby amended by inserting after section 9 the following section:-
- 3 Section 9A. The holder of a burial easement pertaining to the grave of Veteran shall have the
- 4 right to place and maintain upon such grave a Veteran's grave marker or metal plaque, and a flag
- 5 of the United States of America.
- 6 Whenever any person, including a municipality or other subdivision of the commonwealth, a
- 7 church, a religious or charitable society, a cemetery corporation, and a cemetery association or
- 8 organization, whether or not acting under the color of law, interferes with the exercise and

9 enjoyment by any other person or persons of the right described in paragraph (a) above, any
10 person aggrieved thereby may bring a civil action for injunctive or other appropriate equitable
11 relief in order to protect the peaceable exercise or enjoyment of the right secured.

12 The attorney general may bring such an action in the name of the commonwealth.

13 Said civil action may bring such an action shall be instituted either in the superior court for the
14 county in which the conduct complained of occurred, or in the superior court for the county in
15 which the person whose conduct complained of resides or has his principle place of business.

16 All national and state veterans cemeteries within the commonwealth shall be exempt from the
17 provisions of this section.