HOUSE DOCKET, NO. 1208 FILED ON: 1/20/2011

HOUSE . . . . . No. 1820

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:

An Act protecting graves of veterans.

PETITION OF:

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

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By Mr. Sullivan of Fall River, a petition (accompanied by bill, House, No. 1820) of David B. Sullivan and others for legislation to protect graves of veterans. Veterans and Federal Affairs.

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

The Commonwealth of Massachusetts

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:

SECTION 1: Chapter 115 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 9 the following section:-

Section 9A. The holder of a burial easement pertaining to the grave of Veteran shall have the right to place and maintain upon such grave a Veteran's grave marker or metal plaque, and a flag of the United States of America.

Whenever any person, including a municipality or other subdivision of the commonwealth, a church, a religious or charitable society, a cemetery corporation, and a cemetery association or organization, whether or not acting under the color of law, interferes with the exercise and enjoyment by any other person or persons of the right described in paragraph (a) above, any person aggrieved thereby may bring a civil action for injunctive or other appropriate equitable relief in order to protect the peaceable exercise or enjoyment of the right secured.

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

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

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