

SENATE No. 1749

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

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 adoption of the accompanying bill:

An Act relative to the term "Gold Star" and for related purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael F. Rush	Norfolk and Suffolk
Bruce E. Tarr	First Essex and Middlesex
Linda Campbell	15th Essex
Martin J. Walsh	13th Suffolk
Angelo J. Puppolo, Jr.	12th Hampden
Dennis A. Rosa	4th Worcester
Sal N. DiDomenico	Middlesex and Suffolk
James J. Dwyer	30th Middlesex
Randy Hunt	5th Barnstable
Christopher G. Fallon	33rd Middlesex
Angelo M. Scaccia	14th Suffolk
Walter F. Timilty	7th Norfolk
James E. Timilty	Bristol and Norfolk
Michael R. Knapik	Second Hampden and Hampshire
Danielle W. Gregoire	4th Middlesex
Karen E. Spilka	Second Middlesex and Norfolk
Carolyn C. Dykema	8th Middlesex

SENATE No. 1749

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1749) of Michael F. Rush, Bruce E. Tarr, Linda Campbell, Martin J. Walsh and other members of the General Court for legislation relative to the term "Gold Star" and for related purposes. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the term "Gold Star" and for related purposes.

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. (a) Section 7 of chapter 4 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by inserting after the definition “Active service in the armed
3 forces” in line 389, the following definitions:-

4 “military duty”, full-time duty in the active military service of the United States,
5 regardless of duration or purpose. Active military service includes full-time training duty;
6 annual training duty; and attendance, while in the active military service, at a school designated
7 as a Service school by law or by the Secretary of the Department of Defense concerned. For the
8 purposes of this section, military duty shall also include full-time National Guard or Reserve
9 Duty. Any member of the armed forces, reserve component of the armed forces, or National
10 Guard shall also be considered on military duty who is on inactive duty training, funeral honors
11 duty, traveling directly to or from such active or inactive duty or training, or while training
12 before the commencement of military assignment or between successive periods of such active
13 or inactive duty.

14 “Gold Star”, the status of any member of the armed forces, reserve component of the
15 armed forces, or National Guard who was deceased due to an injury, illness, or disease not due to
16 gross negligence or misconduct of the member, which was incurred or aggravated while serving
17 on military duty.

18 SECTION 2. (a) Section 1 of chapter 90, as appearing in the 2010 Official Edition of the
19 General Laws, is hereby amended by inserting after the definition of “Intersecting way” the
20 following definition:-

21 “Killed in action”, a casualty classification determined by the United States Department
22 of Defense when a member of the armed forces of the United States has been killed while
23 performing military operations while serving outside the United States in a conflict recognized
24 by the Department of Defense.

25 (b) Section 2 of chapter 90, as appearing in the 2010 Official Edition, is hereby amended
26 by striking out the twentieth paragraph in lines 441 through 449, inclusive, and inserting in place
27 thereof the following:

28 “The registrar shall furnish without charge to owners of private passenger motor vehicles
29 who are “Gold Star” parents, children, siblings, grandchildren or spouses of members of the
30 military, upon presentation of satisfactory evidence of such status as determined by the registrar,
31 distinctive registration plates that read "Gold Star Family" for one private passenger motor
32 vehicle owned and principally used by such persons or a distinctive "Gold Star Family" emblem
33 to be affixed to a registration plate for a motorcycle privately owned and principally used by
34 such persons. Provided further, Gold Star parents, children, siblings, grandchildren or spouses of
35 members of the military that were killed in action or otherwise died as a result of immediate
36 injuries sustained from such action shall have a “KIA” designation on the “Gold Star Family”
37 emblem affixed to a registration plate for a private passenger motor vehicle or motorcycle
38 privately owned and principally used by such persons. The registrar shall furnish at no additional
39 cost a “KIA” designation on any previously issued “Gold Star” registration plate for individuals
40 who meet the requirements of this section.”