

HOUSE No. 3404

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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 2006 Official Edition,
2 is 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
4 the right to place and maintain upon such grave a Veteran’s grave marker or metal plaque, and a
5 flag of the United States of America.

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

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

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

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