

SENATE No. 1911

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".

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>

SENATE No. 1911

By Mr. Rush, a petition (accompanied by bill, Senate, No. 1911) of Michael F. Rush, Jennifer E. Benson, Paul McMurtry, Jason M. Lewis and other members of the General Court for legislation relative to the term "Gold Star" and for related purposes. Veterans and Federal Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1749 OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to the term "Gold Star".

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 2012
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

duty, traveling directly to or from such active or inactive duty or training, or while training before the commencement of military assignment or between successive periods of such active or inactive duty.

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

SECTION 2. (a) Section 1 of chapter 90, as appearing in the 2012 Official Edition of the General Laws, is hereby amended by inserting after the definition of “Intersecting way” the following definition:-

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