

HOUSE No. 3727

By Mr. Sullivan of Fall River, petition of David B. Sullivan and others for legislation to protect graves of veterans. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

PETITION OF:

David B. Sullivan	Christine E. Canavan
John W. Scibak	Colleen M. Garry
James E. Timilty	Bruce J. Ayers
John P. Fresolo	Anne M. Gobi
Stephen M. Brewer	

In the Year Two Thousand and Seven.

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 Chapter 115 of the General Laws, as appearing in the 2004 Offi-
- 2 cial Edition, is hereby amended by inserting after section 9 the
- 3 following section:—
- 4 Section 9A. The holder of a burial easement pertaining to the
- 5 grave of Veteran shall have the right to place and maintain upon
- 6 such grave a Veteran’s grave marker or metal plaque, and a flag of
- 7 the United States of America.
- 8 Whenever any person, including a municipality or other subdivi-
- 9 sion of the commonwealth, a church, a religious or charitable
- 10 society, a cemetery corporation, and a cemetery association or orga-
- 11 nization, whether or not acting under the color of law, interferes with
- 12 the exercise and enjoyment by any other person or persons of the
- 13 right described in paragraph (a) above, any person aggrieved thereby
- 14 may bring a civil action for injunctive or other appropriate equitable
- 15 relief in order to protect the peaceable exercise or enjoyment of the
- 16 right secured.
- 17 The attorney general may bring such an action in the name of the
- 18 commonwealth.

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

24 All national and state veterans cemeteries within the common-
25 wealth shall be exempt from the provisions of this section.