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By: **Delegates Minnick, Bartlett, Boschert, Boteler, Bozman, Branch, Cane, Cardin, Conroy, Cryor, Elmore, Feldman, Frank, Glassman, Gordon, Heller, Jameson, Jennings, Kelley, Kelly, King, Love, McHale, McKee, Miller, Patterson, Proctor, Ross, Sophocleus, Sossi, Vallario, Weir, ~~and Zirkin~~ Zirkin, Hurson, Hammen, Benson, Boutin, Bromwell, Costa, Donoghue, Elliott, Hubbard, Kach, Kullen, Mandel, McDonough, Morhaim, Murray, Nathan-Pulliam, Oaks, Pendergrass, Rudolph, V. Turner, and Weldon**

Introduced and read first time: February 11, 2005  
Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 21, 2005

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety - Deceased Military Member - Flag Presented to Family**

3 FOR the purpose of requiring the Secretary of State to issue a flag to the family of a  
4 member of the military when the member is killed in the performance of duty;  
5 requiring the flag to be presented to the family of the deceased by a certain State  
6 Senator when the deceased is not a member of the military; requiring the flag to  
7 be presented by the Department of Veterans Affairs when the deceased is a  
8 member of the military; and generally relating to the presentation of a flag to  
9 family members of certain individuals killed in the performance of duty.

10 BY repealing and reenacting, with amendments,  
11 Article - Public Safety  
12 Section 1-202(d)  
13 Annotated Code of Maryland  
14 (2003 Volume and 2004 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

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**Article - Public Safety**

2 1-202.

3 (d) (1) The Secretary of State shall issue a State flag to the family of a  
4 firefighter, policeman, MEMBER OF THE MILITARY, or sworn member of the office of  
5 State Fire Marshal who is killed in the performance of duty.

6 (2) (I) [The] EXCEPT WHEN THE DECEASED IS A MEMBER OF THE  
7 MILITARY, THE flag shall be presented to the family of the deceased by the State  
8 Senator of the legislative district in which the deceased resided or served.

9 (II) WHEN THE DECEASED IS A MEMBER OF THE MILITARY, THE  
10 FLAG SHALL BE PRESENTED TO THE FAMILY OF THE DECEASED BY THE  
11 DEPARTMENT OF VETERANS AFFAIRS.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2005.