



State of Tennessee

PUBLIC CHAPTER NO. 8

SENATE BILL NO. 34

By Burks, Overbey, Faulk, Barnes, Bell, Berke, Campfield, Crowe, Finney, Ford, Gresham, Haile, Harper, Haynes, Henry, Herron, Johnson, Kelsey, Ketron, Kyle, Marrero, McNally, Norris, Southerland, Stewart, Tate, Tracy, Watson, Woodson, Yager, Mr. Speaker Ramsey

Substituted for: House Bill No. 47

By Sexton, Lundberg, Harry Brooks, Haynes, Cobb, Matlock, Dean, Maggart, Elam, Niceley, Campbell, McManus, Dunn, Coley, Kent Williams, Harrison, Alexander, Camper, Sargent, McDonald, Stewart, Shepard, Curtis Johnson, Fitzhugh, Todd, Forgety, Don Miller, Holt, Hawk, Brown, Favors, Floyd, Hensley, Bass, Keisling, Armstrong, Pody, Moore, Butt, Dennis, Ford, Hill, Kevin Brooks, Swann, Evans, Lollar, Eldridge, Ryan Williams, Marsh, Wornick, Powers, Rich, Matheny, Shipley, Weaver, Faison, Sparks, White, Hurley, Halford, Ragan, Hall

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 1, Part 4, relative to flag display.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-1-406(b), is amended by deleting the subsection in its entirety and substituting instead the following language:

(1) As used in this subsection (b):

(A) "County" includes, but is not limited to, any county having a metropolitan form of government;

(B) "Member of the armed services" or "member" means a citizen of Tennessee who is a member of the armed forces of the United States, or a member of a reserve or Tennessee National Guard unit who is called into active military service of the United States, as defined in § 58-1-102, and is stationed outside the United States during hostilities in which military personnel are entitled to combat compensation as determined by the United States Department of Defense; and

(C) "Political subdivision" means county or municipality.

(2) Notwithstanding any law to the contrary, in the event a member of the armed services, while serving honorably, is killed in action or dies as a direct result of injuries sustained from a service connected, combat-related cause, the governor shall proclaim a state-wide day of mourning and shall order the state flag to be flown at half-staff over the state capitol during such period of mourning.

(3) The governor or the governor's designee shall notify the executive official of the political subdivision in which such member of the armed services resided of the deceased member's identity and the date of the day of mourning declared pursuant to subdivision (b)(2). The executive official of the political subdivision, or such official's designee, shall order any state flag hoisted on the property of the political subdivision to be flown at half-staff during such day of mourning.

(4) The names of all members of the armed services for whom a state-wide day of mourning is declared pursuant to subdivision (b)(2) shall be recorded in the journals of the Senate and the House of Representatives.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: February 28, 2011

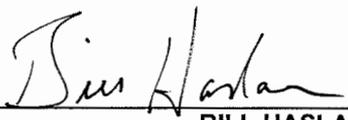


RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of March 2011



BILL HASLAM, GOVERNOR