

1 State of Arkansas  
2 91st General Assembly  
3 Regular Session, 2017  
4

*As Engrossed: H3/17/17*

# A Bill

HOUSE BILL 1297

5 By: Representative Farrer  
6 By: Senator Irvin  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS MILITARY HERITAGE  
10 PROTECTION ACT; AND FOR OTHER PURPOSES.  
11

## Subtitle

14 TO CREATE THE ARKANSAS MILITARY HERITAGE  
15 PROTECTION ACT.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 22, Chapter 3, is amended to add an  
21 additional subchapter to read as follows:

22 Subchapter 21 – Arkansas Military Heritage Protection Act  
23

24 22-3-2101. Title.

25 This subchapter shall be known and may be cited as the "Arkansas  
26 Military Heritage Protection Act".  
27

28 22-3-2102. Definitions.

29 As used in this subchapter:

30 (1) "Monument" means a statue, memorial, gravestone plate,  
31 nameplate, plaque, historic flag display, school, street, bridge, building,  
32 preserve, or reserve that:

33 (A) Has been erected for, or named or dedicated in honor  
34 of, a historical military figure, historical military event, military  
35 organization, or military unit; and

36 (B) Is located on public property;



1 (2) "Person" means an individual or entity; and

2 (3) "Public property" means all property owned or leased by the  
3 state, a county, a municipality, or any other entity that is created by act  
4 of the General Assembly to perform a public function.

5  
6 22-3-2103. Preservation of monuments.

7 (a) A monument commemorating any of the following shall not be  
8 relocated, removed, altered, renamed, rededicated, or otherwise disturbed:

9 (1) French and Indian War;

10 (2) American Revolution;

11 (3) War of 1812;

12 (4) Mexican-American War;

13 (5) Civil War;

14 (6) Spanish American War;

15 (7) Border War;

16 (8) World War I;

17 (9) World War II;

18 (10) Korean conflict;

19 (11) Vietnam War;

20 (12) Operation Urgent Fury;

21 (13) Operation El Dorado Canyon;

22 (14) Operation Just Cause;

23 (15) Operation Desert Shield and Operation Desert Storm;

24 (16) Operation Enduring Freedom; and

25 (17) Operation Iraqi Freedom.

26 (b) A person shall not prevent a governmental entity having  
27 responsibility for maintaining a monument from taking proper and appropriate  
28 measures, and exercising proper and appropriate means, for the protection,  
29 preservation, care, repair, or restoration of the monument.

30 (c)(1) An entity exercising control of public property which is a  
31 monument or on which a monument described in subsection (a) of this section  
32 is situated may petition the Arkansas History Commission for a waiver of the  
33 requirements of subsection (a) of this section.

34 (2) A petition for a waiver authorized by subdivision (c)(1) of  
35 this section shall:

36 (A) Be in writing; and

