

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1313

5 By: Representative Rye
6

For An Act To Be Entitled

8 AN ACT CONCERNING DAMAGE TO BUILDINGS ON THE STATE
9 CAPITOL GROUNDS, ON THE CAPITOL MALL, AND AT THE
10 GOVERNOR'S MANSION; CONCERNING DESTRUCTION OR
11 VANDALISM TO OBJECTS ON THE STATE CAPITOL GROUNDS, ON
12 THE CAPITOL MALL, AND AT THE GOVERNOR'S MANSION; AND
13 FOR OTHER PURPOSES.
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Subtitle

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16 CONCERNING DAMAGE, DESTRUCTION, OR
17 VANDALISM TO BUILDINGS AND OBJECTS ON THE
18 STATE CAPITOL GROUNDS, ON THE CAPITOL
19 MALL, AND AT THE GOVERNOR'S MANSION,
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 5-71-215 is amended to read as follows:

26 5-71-215. Defacing ~~objects~~ or damaging a public building or an object
27 of public respect.

28 (a) A person commits the offense of defacing ~~objects~~ or damaging a
29 public building or an object of public respect if he or she purposely:

30 (1) Defaces, mars, vandalizes, destroys, or otherwise damages
31 the State Capitol Building, any building on the State Capitol grounds, any
32 building on the Capitol Mall, any building on the grounds of the Governor's
33 Mansion, or any publicly owned monument, statue, fixture, or landscape on the
34 State Capitol grounds, Capitol Mall, or Governor's Mansion;

35 (2) Defaces, mars, vandalizes, destroys, or otherwise damages
36 any public monument;



1 ~~(2)~~(3) Defaces, mars, vandalizes, destroys, or otherwise damages
2 a work of art on display in any public place;

3 ~~(3)~~(4) Defaces, mars, desecrates, vandalizes, destroys, or
4 otherwise damages any place of worship, cemetery, or burial monument; or

5 ~~(4)~~(5) Removes a broken or unbroken, commercial or rock, grave
6 marker for any reason except for cleaning or repair by a family member,
7 caretaker, or preservation organization.

8 (b)(1)(A) Except as provided in subdivision (b)(1)(B) of this section,
9 defacing ~~objects~~ or damaging a public building or an object of public respect
10 is a Class A misdemeanor if the value of repairing or replacing the public
11 building or damaged object does not exceed five hundred dollars (\$500).

12 (B) Defacing ~~objects~~ or damaging a public building or an
13 object of public respect is a Class D felony if the value of repairing or
14 replacing the public building or damaged object does not exceed five hundred
15 dollars (\$500) and if the object that is defaced, marred, desecrated,
16 vandalized, destroyed, or otherwise damaged is a cemetery or burial monument.

17 (2)(A) Except as provided in subdivision (b)(2)(B) of this
18 section, defacing ~~objects~~ or damaging a public building or an object of
19 public respect is a Class D felony if the value of repairing or replacing the
20 public building or damaged object exceeds five hundred dollars (\$500), but
21 does not exceed two thousand five hundred dollars (\$2,500).

22 (B) Defacing ~~objects~~ or damaging a public building or an
23 object of public respect is a Class C felony if the value of repairing or
24 replacing the public building or damaged object exceeds five hundred dollars
25 (\$500) but does not exceed two thousand five hundred dollars (\$2,500) and if
26 the public building or object that is defaced, marred, desecrated,
27 vandalized, destroyed, or otherwise damaged is a cemetery or burial monument.

28 (3)(A) Except as provided in subdivision (b)(3)(B) of this
29 section, defacing ~~objects~~ or damaging a public building or an object of
30 public respect is a Class C felony if the value of repairing or replacing the
31 public building or damaged object exceeds two thousand five hundred dollars
32 (\$2,500).

33 (B) Defacing ~~objects~~ or damaging a public building or an
34 object of public respect is a Class B felony if the value of repairing or
35 replacing the public building or damaged object exceeds two thousand five
36 hundred dollars (\$2,500) and if the public building or object that is

1 defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a
2 cemetery or burial monument.

3 (c) As used in this section, "publicly owned monument" means an object
4 on public land that commemorates a person or persons or an event that has
5 become relevant to a social group as a part of the social group's remembrance
6 of historic times or is part of the social group's cultural heritage due to
7 the object's artistic, historic, social, political, technical, or
8 architectural importance.

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11 **APPROVED: 4/14/21**
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