

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

As Engrossed: H1/13/21

A Bill

HOUSE BILL 1015

5 By: Representative Rye
6

For An Act To Be Entitled

8 AN ACT CONCERNING THE DAMAGE TO OR DESTRUCTION OF A
9 PUBLIC MONUMENT OR OBJECT OF PUBLIC RESPECT;
10 CONCERNING PUBLIC MONUMENTS AND OBJECTS OF PUBLIC
11 RESPECT ON THE GROUNDS OF THE STATE CAPITOL; AND FOR
12 OTHER PURPOSES.

Subtitle

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15 CONCERNING THE DAMAGE TO OR DESTRUCTION
16 OF A PUBLIC MONUMENT OR OBJECT OF PUBLIC
17 RESPECT; AND CONCERNING PUBLIC MONUMENTS
18 AND OBJECTS OF PUBLIC RESPECT ON THE
19 GROUNDS OF THE STATE CAPITOL.
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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 § 5-71-101, concerning definitions used for*
26 *offenses concerning riots and disorderly conduct, is amended to add an*
27 *additional subdivision to read as follows:*

28 *(13) "Public monument" means an object on public land that*
29 *commemorates a person or persons or an event or that has become relevant to a*
30 *social group as a part of the social group's remembrance of historic times or*
31 *is part of the social group's cultural heritage due to the object's artistic,*
32 *historic, social, political, technical, or architectural importance.*
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34 *SECTION 2. Arkansas Code § 5-71-215 is amended to read as follows:*

35 5-71-215. Defacing ~~objects~~ an object of public respect.

36 (a) A person commits the offense of defacing ~~objects~~ an object of



1 public respect if he or she purposely:

2 (1) Defaces, mars, vandalizes, destroys, or otherwise damages
3 any public monument;

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

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

8 (4) Removes a broken or unbroken, commercial or rock, grave
9 marker for any reason except for cleaning or repair by a family member,
10 caretaker, or preservation organization.

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

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

20 (2)(A) Except as provided in subdivision (b)(2)(B) of this
21 section, defacing ~~objects~~ an object of public respect is a Class D felony if
22 the value of repairing or replacing the damaged object exceeds five hundred
23 dollars (\$500), but does not exceed two thousand five hundred dollars
24 (\$2,500).

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

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

35 (B) Defacing ~~objects~~ an object of public respect is a
36 Class B felony if the value of repairing or replacing the damaged object

1 exceeds two thousand five hundred dollars (\$2,500) and if the object that is
2 defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a
3 cemetery or burial monument.

4 c) If an offense under this section is committed on the State Capitol
5 grounds, the Division of Arkansas State Police has sole jurisdiction over the
6 arrest of a person for the offense.

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8 /s/Rye
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