

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

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

12
13 TO CREATE THE ARKANSAS MILITARY HERITAGE
14 PROTECTION ACT.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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".
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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 park, 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.

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 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
 31 22-3-2104. Applicability.

32 (a) This section does not apply to a monument that is located on
 33 public property under the control of, or acquired by, the State Highway
 34 Commission that may interfere with the construction, maintenance, or
 35 operation of the public transportation system.

36 (b) The commission shall take reasonable measures to ensure that a

1 monument is preserved to the greatest extent possible.

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3 22-3-2105. Penalty.

4 A person who knowingly violates this subchapter is upon conviction
5 guilty of a Class D Felony.