

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4
5 By: Representative Rye
6

A Bill

HOUSE BILL 1015

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 § 5-71-215 is amended to read as follows:
26 5-71-215. Defacing ~~objects~~ an object of public respect.

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

29 (1) Defaces, mars, vandalizes, destroys, or otherwise damages
30 any public monument;

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

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

35 (4) Removes a broken or unbroken, commercial or rock, grave
36 marker for any reason except for cleaning or repair by a family member,



1 caretaker, or preservation organization.

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

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

11 (2)(A) Except as provided in subdivision (b)(2)(B) of this
12 section, defacing ~~objects~~ an object of public respect is a Class D felony if
13 the value of repairing or replacing the damaged object exceeds five hundred
14 dollars (\$500), but does not exceed two thousand five hundred dollars
15 (\$2,500).

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

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

26 (B) Defacing ~~objects~~ an object of public respect is a
27 Class B felony if the value of repairing or replacing the damaged object
28 exceeds two thousand five hundred dollars (\$2,500) and if the object that is
29 defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a
30 cemetery or burial monument.

31 (c) If an offense under this section is committed on the State Capitol
32 grounds, the State Capitol Police has sole jurisdiction over the arrest of a
33 person for the offense.

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