

By: Representatives Snowden, Baker (74th),
Hudson, Montgomery, Moore, Moss, Robinson
(84th), Rogers (61st), Smith (59th), Staples,
Ward, Weathersby, Wells-Smith, Horne

To: Public Property

HOUSE BILL NO. 867
(As Passed the House)

1 AN ACT TO ENACT THE MISSISSIPPI MILITARY MEMORIAL PROTECTION
2 ACT TO PROHIBIT THE ALTERATION OF CERTAIN HISTORICAL MONUMENTS AND
3 MEMORIALS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) None of the following items, structures or
6 areas may be relocated, removed, disturbed, altered, renamed or
7 rededicated: Any Revolutionary War, War of 1812, Mexican-American
8 War, War Between the States, Spanish-American War, World War I,
9 World War II, Korean War, Vietnam War, Persian Gulf War, War in
10 Iraq or Native American War's statutes, monuments, memorials or
11 nameplates (plaques), which have been erected on public property
12 of the state or any of its political subdivisions, such as local,
13 municipal or county owned public areas, and any statues,
14 monuments, memorials, nameplates (plaques), schools, streets,
15 bridges, buildings, parks preserves, reserves or other public
16 items, structure or areas of the state or any of its political
17 subdivisions, such as, local, municipal or county owned public
18 areas, which has been dedicated in memory of, or named for, any
19 historical military figure, historical military event, military
20 organization or military unit.

21 (2) No person may prevent the public body responsible for
22 maintaining any of the items, structures or areas described above
23 from taking proper measures and exercising proper means for the
24 protection, preservation, care, repair or restoration of those
25 items, structures or areas. The governing body may move the
26 memorial to a more suitable location if it is determined that the
27 location is more appropriate to displaying the monument.

28 (3) This section shall not apply to items, structures or
29 areas located on property owned or acquired by the Mississippi
30 Transportation Commission which may interfere with the
31 construction, maintenance or operation of public transportation
32 facilities.

33 **SECTION 2.** This act shall take effect and be in force from
34 and after July 1, 2004.