

By: Representatives Staples, Tullos, Barnett

To: Public Property;  
Judiciary B

HOUSE BILL NO. 969

1 AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972,  
2 TO ESTABLISH PENALTIES FOR PERSONS OR MEMBERS OF GOVERNING BODIES  
3 WHO VIOLATE THE LAW PROHIBITING THE ALTERATION OF HISTORICAL  
4 MONUMENTS AND MEMORIALS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 55-15-81, Mississippi Code of 1972, is  
7 amended as follows:

8 55-15-81. (1) None of the following items, structures or  
9 areas may be relocated, removed, disturbed, altered, renamed or  
10 rededicated: any Revolutionary War, War of 1812, Mexican-American  
11 War, War Between the States, Spanish-American War, World War I,  
12 World War II, Korean War, Vietnam War, Persian Gulf War, War in  
13 Iraq or Native American War's statues, monuments, memorials or  
14 nameplates (plaques), which have been erected on public property  
15 of the state or any of its political subdivisions, such as local,  
16 municipal or county owned public areas, and any statues,  
17 monuments, memorials, nameplates (plaques), schools, streets,  
18 bridges, buildings, parks preserves, reserves or other public  
19 items, structure or areas of the state or any of its political



20 subdivisions, such as, local, municipal or county owned public  
21 areas, which has been dedicated in memory of, or named for, any  
22 historical military figure, historical military event, military  
23 organization or military unit.

24 (2) (a) No person may prevent the public body responsible  
25 for maintaining any of the items, structures or areas  
26 described \* \* \* in subsection (1) from taking proper measures and  
27 exercising proper means for the protection, preservation, care,  
28 repair or restoration of those items, structures or areas. The  
29 governing body may move the memorial to a more suitable location  
30 if it is determined that the location is more appropriate to  
31 displaying the monument.

32 (b) Any member of a governing body who votes for or  
33 otherwise causes an action that is a violation of subsection (1)  
34 of this section is personally liable and must be punished in  
35 accordance with subsection (4) of this section if such action is  
36 actually realized. A member of a governing body may not be  
37 punished for voting for an action to move a memorial to a more  
38 suitable location as provided for in subsection (2)(a) of this  
39 section.

40 (3) This section shall not apply to items, structures or  
41 areas located on property owned or acquired by the Mississippi  
42 Transportation Commission which may interfere with the  
43 construction, maintenance or operation of public transportation  
44 facilities.



45       (4) Any person who violates this section must be punished by  
46 a fine of Ten Thousand Dollars (\$10,000.00) and imprisonment for  
47 six (6) months in jail. In addition, the person must pay all  
48 related restoration or relocation costs incurred as a result of  
49 the violation.

50       **SECTION 2.** This act shall take effect and be in force from  
51 and after July 1, 2018.

