

By: Senator(s) Hill

To: Rules

SENATE BILL NO. 2001

1 AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972,  
 2 TO CLARIFY THE PROVISIONS OF THE STATUTORY PROHIBITION AGAINST THE  
 3 ALTERATION OF HISTORICAL MONUMENTS AND MEMORIALS LOCATED ON PUBLIC  
 4 PROPERTY; TO PROHIBIT THE RENAMING OR REDEDICATION OF CERTAIN  
 5 STATUTES, MONUMENTS, SCHOOLS, STREETS, PARKS OR SIMILAR STRUCTURES  
 6 NAMED IN HONOR OF CERTAIN MILITARY UNITS, FIGURES OR EVENTS; TO  
 7 PROVIDE CRIMINAL SANCTIONS FOR VIOLATION OF THIS STATUTE; TO  
 8 PROVIDE THAT THIS SECTION SHALL BE KNOWN AS THE "MISSISSIPPI  
 9 HERITAGE PROTECTION ACT OF 2018"; AND FOR RELATED PURPOSES.

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

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

13 55-15-81. (1) This section shall be known and may be cited  
 14 as the "Mississippi Heritage Protection Act of 2018."

15 (2) None of the following items, structures or areas may be  
 16 relocated, removed, disturbed, altered, renamed \* \* \*,  
 17 rededicated, defaced or otherwise disturbed: any American  
 18 Revolutionary War, War of 1812, Mexican-American War, War Between  
 19 the States, Spanish-American War, World War I, World War II,  
 20 Korean \* \* \* Conflict, Vietnam War, Persian Gulf War I (Operation  
 21 Desert Shield/Desert Storm), Persian Gulf War II (Operation Iraqi



22 Freedom, Operation Enduring Freedom (Afghanistan), \* \* \* or Native  
23 American War's statues, monuments, memorials or nameplates  
24 (plaques), which have been erected, named or dedicated in honor of  
25 the foregoing historical wars or conflicts, and are located on  
26 public property of the state or any of its political  
27 subdivisions, \* \* \* including local, municipal \* \* \*, county,  
28 school district or public university-owned public areas \* \* \*.

29 (3) No \* \* \* statue, \* \* \* monument, \* \* \* memorial, \* \* \*  
30 nameplate ( \* \* \* plaque), \* \* \* school, \* \* \* street, \* \* \*  
31 bridge, \* \* \* building, \* \* \* park, \* \* \* preserve, \* \* \* reserve,  
32 historic flag display or other public items, structure or areas of  
33 the state or any of its political subdivisions, \* \* \* including  
34 municipal \* \* \*, county, school district or public  
35 university-owned public areas, which has been dedicated in memory  
36 of, or named for, any historical military figure, historical  
37 military event, military organization or military unit associated  
38 with the wars and conflicts listed above in subsection (2) and  
39 located on public property, may be renamed, rededicated,  
40 relocated, removed, altered or otherwise disturbed.

41 ( \* \* \*4) No person may prevent the public body responsible  
42 for maintaining any of the items, structures or areas described  
43 above from taking proper measures and exercising proper means for  
44 the protection, preservation, care, repair or restoration of those  
45 items, structures or areas. The governing body may move the  
46 memorial to \* \* \* another public location if it is determined that



47 the location is \* \* \* necessary to construct a school, hospital,  
48 public roadway or building that provides services related to the  
49 governing body.

50 ( \* \* \*5) This section shall apply to items, structures or  
51 areas described in subsections (2) and (3) of this section in  
52 existence prior to July 1, 2018, and those lawfully erected, named  
53 or dedicated on or after July 1, 2018. This section shall not  
54 apply to items, structures or areas located on property owned or  
55 acquired by the Mississippi Transportation Commission which may  
56 interfere with the construction, maintenance or operation of  
57 public transportation facilities.

58 (6) Any person violating the provisions of subsection (2),  
59 (3) or (4) of this section shall be guilty of a misdemeanor  
60 punishable, upon conviction thereof, by a fine not exceeding Ten  
61 Thousand Dollars (\$10,000.00), or by imprisonment not exceeding  
62 six (6) months, or by both such fine and imprisonment. In cases  
63 where public property is damaged or defaced, the offense shall be  
64 punishable by imprisonment for not exceeding one (1) year, and the  
65 person shall be liable for repair of the public property. In the  
66 event the violation of this section is made by a public board,  
67 commission or other body, each member of that board, commission or  
68 body shall be individually liable to prosecution under this  
69 section.

70 (7) The provisions of this section may be amended or  
71 repealed only upon passage of an act that has received a



72 two-thirds (2/3) vote on final passage in each house of the  
73 Legislature.

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

