

By: Representative Arnold

To: Rules

HOUSE BILL NO. 905

1 AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972,
 2 TO PROHIBIT THE RELOCATION, REMOVAL, DISTURBING, ALTERATION,
 3 RENAMING OR REDEDICATION OF CERTAIN HISTORICAL ITEMS, STRUCTURES
 4 OR AREAS UNLESS SPECIFICALLY AUTHORIZED BY AN ACT OF THE
 5 LEGISLATURE AND TO PROVIDE THAT SUCH PROHIBITION SHALL ALSO
 6 INCLUDE CERTAIN CIVIL RIGHTS RELATED ITEMS, STRUCTURES OR AREAS;
 7 TO DELETE THE PROVISION THAT PROVIDES THAT A GOVERNING BODY
 8 RESPONSIBLE FOR MAINTAINING ANY SUCH ITEM, STRUCTURE OR AREA MAY
 9 MOVE IT TO A MORE SUITABLE LOCATION IF IT IS DETERMINED THAT THE
 10 LOCATION IS MORE APPROPRIATE; TO BRING FORWARD SECTION 39-7-33,
 11 MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTAIN PROVISIONS OF
 12 THE ANTIQUITIES LAW OF MISSISSIPPI, FOR PURPOSES OF POSSIBLE
 13 AMENDMENT; AND FOR RELATED PURPOSES.

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

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

17 55-15-81. (1) None of the following items, structures or
 18 areas may be relocated, removed, disturbed, altered, renamed or
 19 rededicated, unless specifically authorized by an act of the
 20 Legislature: any Revolutionary War, War of 1812, Mexican-American
 21 War, War Between the States, Spanish-American War, World War I,
 22 World War II, Korean War, Vietnam War, Persian Gulf War, War in
 23 Iraq or Native American War's statues, monuments, memorials or



24 nameplates (plaques), which have been erected on public property
25 of the state or any of its political subdivisions, such as local,
26 municipal or county owned public areas, and any statues,
27 monuments, memorials, nameplates (plaques), schools, streets,
28 bridges, trails, buildings, parks preserves, reserves or other
29 public items, structure or areas of the state or any of its
30 political subdivisions, such as, local, municipal or county owned
31 public areas, which has been dedicated in memory of, or named for,
32 any historical military figure, historical military event,
33 military organization or military unit, or civil rights figure,
34 event or organization.

35 (2) No person may prevent the public body responsible for
36 maintaining any of the items, structures or areas described above
37 from taking proper measures and exercising proper means for the
38 protection, preservation, care, repair or restoration of those
39 items, structures or areas. * * *

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 **SECTION 2.** Section 39-7-33, Mississippi Code of 1972, is
46 brought forward as follows:

47 39-7-33. It shall be unlawful for any person, not being the
48 owner thereof, and without lawful authority, to willfully injure,



49 disfigure, remove or destroy any historical structure, monument,
50 marker, medallion, or artifact.

51 **SECTION 3.** This act shall take effect and be in force from
52 and after July 1, 2022.

