

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

S

1

SENATE BILL 140

Short Title: Protection of Historic Monuments. (Public)

Sponsors: Senators Horton; Albertson, Allran, Apodaca, Berger, Bingham, Blake, Brock, Carpenter, Carrington, Clodfelter, Dalton, Dannelly, Dorsett, Forrester, Foxx, Garrou, Garwood, Hagan, Hartsell, Holloman, Hoyle, Jenkins, Kerr, Kinnaird, Lucas, Malone, Metcalf, Moore, Pittenger, Purcell, Rand, Reeves, Rucho, Shubert, Sloan, Smith, Soles, Stevens, Swindell, Thomas, Tillman, and Weinstein.

Referred to: Judiciary I.

February 24, 2003

A BILL TO BE ENTITLED
AN ACT PROVIDING FOR THE PROTECTION OF NORTH CAROLINA'S
HISTORIC MONUMENTS AND MEMORIALS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 121 of the General Statutes is amended by adding a new section to read:

"§ 121-13.3. Protection of North Carolina historic monuments and memorials.

(a) Except as provided by subsection (b) of this section, no monument, memorial, plaque, marker, or historic flag display commemorating events, veterans, or persons of North Carolina history on public property of the State or any of its political subdivisions, may be relocated, removed, disturbed, altered, or defaced.

(b) Monuments, memorials, plaques, markers, and historic flag displays set forth in subsection (a) of this section may be removed, relocated, or altered by one of the following actions:

(1) With the approval of the General Assembly by a two-thirds vote of the members voting in each house.

(2) With the approval of the North Carolina Historical Commission by a two-thirds vote of the members voting at a regularly scheduled meeting.

(3) Upon the authority of the public or private body responsible for the protection, preservation, upkeep, and care of these monuments, memorials, plaques, markers, or historic flag displays. Any monument, memorial, plaque, marker, or historic flag display removed for the

1 reasons set forth in this subdivision must be returned to its original
2 location when the activity is completed.

3 (c) A person who willfully violates the provisions of this section shall be guilty
4 of a Class A1 misdemeanor."

5 **SECTION 2.** This act becomes effective December 1, 2003, and applies to
6 offenses committed on or after that date.