

## **Support SB12 - Alabama State Monument Protection Bill**

Write and call your state representatives and show your support on August 3rd when the state legislature reconvenes.

To create the Alabama Heritage Protection Act of 2015; to prohibit the relocation, removal, alteration, renaming, rededication, or other disturbance of any statue, monument, memorial, nameplate, or plaque located on public property that has been erected for, or named, or dedicated in honor of certain historical military, civil rights, and Native American events, figures, and organizations; to prohibit any person from preventing the governmental entity responsible for maintaining the items, structures, or areas from taking proper measures to protect, preserve, care for, repair, or restore the items, structures, or areas; to authorize the Alabama Historical Commission to grant waivers; and to exempt the Department of Transportation under certain limited circumstances.

**BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:**

Section 1. This act shall be known and may be cited as the Alabama Heritage Protection Act of 2015.

Section 2. (a) No statue, monument, memorial, nameplate, or plaque which is located on public property and has been erected for, or named, or dedicated in honor of the French and Indian War, American Revolution, War of 1812, United States-Mexican War, the War Between the States, Spanish American War, the Mexican border period, World War I, World War II, the Korean conflict, the Vietnam War, Operation Urgent Fury (Grenada), Operation El Dorado Canyon (Libya), Operation Just Cause (Panama), Operation Desert Shield/Desert Storm (Persian Gulf War I), Operation Enduring Freedom (Afghanistan), and Operation Iraqi Freedom (Persian Gulf War II) may be relocated, removed, altered, renamed, rededicated, or otherwise disturbed.

(b) No statue, monument, memorial, nameplate, plaque, school, street, bridge, building, park, preserve, or reserve which is located on public property and has been erected for, or named, or dedicated in honor of any historical military figure, historical military event, military organization, or military unit may be renamed or rededicated.

(c) No statue, monument, memorial, nameplate, plaque, school, street, bridge, building, park, preserve, or reserve which is located on public property and has been erected for, or named, or dedicated in honor of the Civil Rights Movement or any historical civil rights figure, historical civil rights event, or civil rights organization may be renamed or rededicated.

(d) No statue, monument, memorial, nameplate, plaque, school, street, bridge, building, park, preserve, or reserve which is located on public property and has been erected for, or named, or dedicated in honor of Native Americans or American Indians or any historical Native American or American Indian figure, historical Native American or American Indian rights event, or Native American or American Indian organization may be renamed or rededicated.

Section 3. No person may prevent the governmental entity having responsibility for maintaining any of the items, structures, or areas described in Section 2 from taking proper and appropriate measures, and exercising proper and appropriate means, for the protection, preservation, care, repair, or restoration of those items, structures, or areas.

Section 4. (a) For the purposes of this act, public property means all property owned or leased by the State of Alabama, any county, municipality, metropolitan government, or any other entity that is created by act of the Legislature to perform any public function.

(b) Any entity exercising control of public property on which an item, structure, or area described in Section 2 is located may petition the Alabama Historical Commission for a waiver from this act. A petition for waiver shall be in writing and shall state the reason, or reasons, upon which the waiver is sought. At any regularly scheduled meeting of the commission, the commission may grant a petition for waiver by a majority vote of those present and voting. The commission may include reasonable conditions and instructions to ensure that any items, structures, or areas are preserved to the greatest extent possible.

Section 5. (a) This act shall apply to items, structures, or areas described in Section 2 in existence before January 1, 1970, and those lawfully erected, named, or dedicated on or after January 1, 1970.

(b) This act does not apply to items, structures, or areas described in Section 2 that are located on public property under the control of, or acquired by, the Department of Transportation which may interfere with the construction, maintenance, or operation of the public transportation system. The department shall strive to ensure that any such items, structures, or areas are preserved to the greatest extent possible.

Section 6. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.