

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H1/13/21 H1/21/21
A Bill

HOUSE BILL 1015

By: Representative Rye

For An Act To Be Entitled

AN ACT CONCERNING THE DAMAGE TO OR DESTRUCTION OF A PUBLIC MONUMENT OR OBJECT OF PUBLIC RESPECT; CONCERNING PUBLIC MONUMENTS AND OBJECTS OF PUBLIC RESPECT ON THE GROUNDS OF THE STATE CAPITOL; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE DAMAGE TO OR DESTRUCTION OF A PUBLIC MONUMENT OR OBJECT OF PUBLIC RESPECT; AND CONCERNING PUBLIC MONUMENTS AND OBJECTS OF PUBLIC RESPECT ON THE GROUNDS OF THE STATE CAPITOL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 5-71-101, concerning definitions used for offenses concerning riots and disorderly conduct, is amended to add an additional subdivision to read as follows:

(13) "Public monument" means an object on public land that commemorates a person or persons or an event or that has become relevant to a social group as a part of the social group's remembrance of historic times or is part of the social group's cultural heritage due to the object's artistic, historic, social, political, technical, or architectural importance.

SECTION 2. Arkansas Code § 5-71-215 is amended to read as follows:

5-71-215. Defacing ~~objects~~ an object of public respect.

(a) A person commits the offense of defacing ~~objects~~ an object of



public respect if he or she purposely:

(1) Defaces, mars, vandalizes, destroys, or otherwise damages any public monument;

(2) Defaces, mars, vandalizes, destroys, or otherwise damages a work of art on display in any public place;

(3) Defaces, mars, desecrates, vandalizes, destroys, or otherwise damages any place of worship, cemetery, or burial monument; or

(4) Removes a broken or unbroken, commercial or rock, grave marker for any reason except for cleaning or repair by a family member, caretaker, or preservation organization.

(b)(1)(A) Except as provided in subdivision (b)(1)(B) of this section, defacing ~~objects~~ an object of public respect is a Class A misdemeanor if the value of repairing or replacing the damaged object does not exceed five hundred dollars (\$500).

(B) Defacing ~~objects~~ an object of public respect is a Class D felony if the value of repairing or replacing the damaged object does not exceed five hundred dollars (\$500) and if the object that is defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a cemetery or burial monument.

(2)(A) Except as provided in subdivision (b)(2)(B) of this section, defacing ~~objects~~ an object of public respect is a Class D felony if the value of repairing or replacing the damaged object exceeds five hundred dollars (\$500), but does not exceed two thousand five hundred dollars (\$2,500).

(B) Defacing ~~objects~~ an object of public respect is a Class C felony if the value of repairing or replacing the damaged object exceeds five hundred dollars (\$500) but does not exceed two thousand five hundred dollars (\$2,500) and if the object that is defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a cemetery or burial monument.

(3)(A) Except as provided in subdivision (b)(3)(B) of this section, defacing ~~objects~~ an object of public respect is a Class C felony if the value of repairing or replacing the damaged object exceeds two thousand five hundred dollars (\$2,500).

(B) Defacing ~~objects~~ an object of public respect is a Class B felony if the value of repairing or replacing the damaged object

exceeds two thousand five hundred dollars (\$2,500) and if the object that is defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a cemetery or burial monument.

/s/Rye