

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

# A Bill

HOUSE BILL 1313

By: Representative Rye

## For An Act To Be Entitled

AN ACT CONCERNING DAMAGE TO BUILDINGS ON THE STATE CAPITOL GROUNDS, ON THE CAPITOL MALL, AND AT THE GOVERNOR'S MANSION; CONCERNING DESTRUCTION OR VANDALISM TO OBJECTS ON THE STATE CAPITOL GROUNDS, ON THE CAPITOL MALL, AND AT THE GOVERNOR'S MANSION; AND FOR OTHER PURPOSES.

## Subtitle

CONCERNING DAMAGE, DESTRUCTION, OR VANDALISM TO BUILDINGS AND OBJECTS ON THE STATE CAPITOL GROUNDS, ON THE CAPITOL MALL, AND AT THE GOVERNOR'S MANSION,

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

SECTION 1. Arkansas Code § 5-71-215 is amended to read as follows:

5-71-215. Defacing ~~objects~~ or damaging a public building or an object of public respect.

(a) A person commits the offense of defacing ~~objects~~ or damaging a public building or an object of public respect if he or she purposely:

(1) Defaces, mars, vandalizes, destroys, or otherwise damages the State Capitol Building, any building on the State Capitol grounds, any building on the Capitol Mall, any building on the grounds of the Governor's Mansion, or any publicly owned monument, statue, fixture, or landscape on the State Capitol grounds, Capitol Mall, or Governor's Mansion;

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



~~(2)~~(3) Defaces, mars, vandalizes, destroys, or otherwise damages a work of art on display in any public place;

~~(3)~~(4) Defaces, mars, desecrates, vandalizes, destroys, or otherwise damages any place of worship, cemetery, or burial monument; or

~~(4)~~(5) 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~~ or damaging a public building or an object of public respect is a Class A misdemeanor if the value of repairing or replacing the public building or damaged object does not exceed five hundred dollars (\$500).

(B) Defacing ~~objects~~ or damaging a public building or an object of public respect is a Class D felony if the value of repairing or replacing the public building or 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~~ or damaging a public building or an object of public respect is a Class D felony if the value of repairing or replacing the public building or damaged object exceeds five hundred dollars (\$500), but does not exceed two thousand five hundred dollars (\$2,500).

(B) Defacing ~~objects~~ or damaging a public building or an object of public respect is a Class C felony if the value of repairing or replacing the public building or damaged object exceeds five hundred dollars (\$500) but does not exceed two thousand five hundred dollars (\$2,500) and if the public building or 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~~ or damaging a public building or an object of public respect is a Class C felony if the value of repairing or replacing the public building or damaged object exceeds two thousand five hundred dollars (\$2,500).

(B) Defacing ~~objects~~ or damaging a public building or an object of public respect is a Class B felony if the value of repairing or replacing the public building or damaged object exceeds two thousand five hundred dollars (\$2,500) and if the public building or object that is

defaced, marred, desecrated, vandalized, destroyed, or otherwise damaged is a cemetery or burial monument.

(c) As used in this section, "publicly owned monument" means an object on public land that commemorates a person or persons or an event 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.