

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

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 489

By: Senators G. Leding, G. Stubblefield
By: Representatives Clowney, D. Garner, D. Whitaker

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING THE PLACEMENT OF A MONUMENT ON THE STATE CAPITOL GROUNDS IN RECOGNITION OF THE DESEGREGATION OF THE CHARLESTON AND FAYETTEVILLE SCHOOL DISTRICTS IN 1954; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING THE PLACEMENT OF A MONUMENT ON THE STATE CAPITOL GROUNDS IN RECOGNITION OF THE DESEGREGATION OF THE CHARLESTON AND FAYETTEVILLE SCHOOL DISTRICTS IN 1954.

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

SECTION 1. DO NOT CODIFY. FINDINGS AND LEGISLATIVE INTENT. (a) The General Assembly finds that:

(1) Charleston School District in Charleston, Arkansas, and Fayetteville School District in Fayetteville, Arkansas, were acknowledged as the first school districts to desegregate their schools in the former Confederate States of America;

(2) Following the May 17, 1954, decision of the United States Supreme Court in Brown v. Board of Education, the school boards of Fayetteville and Charleston voted to integrate their schools beginning in the fall of 1954, with Fayetteville making the decision just four (4) days after the Brown v. Board of Education opinion;

(3) On August 23, 1954, eleven (11) African-American students



attended classes in Charleston with no publicity as the school board and the superintendent persuaded the local newspaper and civic and business leaders not to discuss their desegregation plans with out-of-town sources;

(4) When Fayetteville High School integrated on September 10, 1954, the Charleston School Board President revealed that Charleston had peacefully integrated three (3) weeks earlier;

(5) While integration in Charleston and Fayetteville was spared some of the problems experienced by other schools during the early days of desegregation, the districts faced challenges such as football teams refusing to play Charleston and Fayetteville as there were black players on the teams and Charleston being excluded from some band competitions because of their black band members;

(6) United States Senator Dale Bumpers, a former member of the Charleston School Board, sponsored legislation in 1998 designating Charleston High School as a National Commemorative Site; and

(7) It is appropriate to commemorate the historic achievement of being the first school districts in the former Confederate States of America to desegregate their schools by placing a monument on the State Capitol grounds in recognition of the school districts in Charleston and Fayetteville.

(b) It is the intent of this act to place a monument on the State Capitol grounds in recognition of the historic desegregation of the Charleston School District and the Fayetteville School District in 1954.

SECTION 2. Arkansas Code § 19-5-1125(e)(2), concerning the Arkansas Capitol Grounds Monument and Memorial Preservation Fund and as amended by Acts 2025, No. 251, is amended to read as follows:

(2) Before the expenditure of any moneys from the Arkansas Capitol Grounds Monument and Memorial Preservation Fund for the maintenance, repair, alteration, addition, reconstruction, or upkeep of any kind for a specific monument or memorial areas on State Capitol grounds, if there is a fund dedicated to that specific monument or memorial, the Secretary of State shall utilize the gifts, grants, and donations made to the following funds for the maintenance, repair, alteration, addition, reconstruction, or upkeep of that specific monument or memorial:

(A) Vietnam Veterans Monument Fund;

(B) Arkansas Military War Veterans Monument Fund;
 (C) Ten Commandments Monument Display Act under § 22-3-221;
 (D) Gold Star Family Memorial Monument Fund;
 (E) Arkansas Fallen Firefighters Memorial Board under § 22-3-1704; ~~and~~
 (F) Hoxie: The First Stand Memorial Monument Fund; and
 (G) Charleston and Fayetteville Desegregation Memorial Monument Fund.

SECTION 3. Arkansas Code Title 19, Chapter 5, Subchapter 11, is amended to add an additional section to read as follows:

19-5-1161. Charleston and Fayetteville Desegregation Memorial Monument Fund.

(a) There is established on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund to be known as the "Charleston and Fayetteville Desegregation Memorial Monument Fund".

(b) The fund shall consist of gifts, grants, and donations from individuals and organizations as provided under the Charleston and Fayetteville Desegregation Memorial Monument Act, § 22-3-225, and other funds as may be provided by law.

(c) The fund shall be used exclusively for the purpose of erecting and maintaining a suitable monument on the State Capitol grounds in recognition of the desegregation of the Charleston and Fayetteville school districts in 1954, as provided in the Charleston and Fayetteville Desegregation Memorial Monument Act, § 22-3-225.

SECTION 4. Arkansas Code Title 22, Chapter 3, Subchapter 2, is amended to add an additional section to read as follows:

22-3-225. Charleston and Fayetteville Desegregation Memorial Monument Act.

(a) This section shall be known and may be cited as the "Charleston and Fayetteville Desegregation Memorial Monument Act".

(b)(1) The Secretary of State shall permit and arrange for the placement on the State Capitol grounds of a monument commemorating the

desegregation of the Charleston and Fayetteville School Districts in 1954.

(2) The monument shall be placed on the State Capitol grounds where there are other monuments.

(3) The Secretary of State shall approve the design and site selection for the monument through consultation with the Capitol Arts and Grounds Commission.

(c) The Secretary of State may accept gifts, grants, and donations from individuals and organizations to be deposited as trust funds into the Charleston and Fayetteville Desegregation Memorial Monument Fund.