

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 176

Short Title: Protection of Historic Monuments.

(Public)

Sponsors: Senator Horton.

Referred to: State and Local Government.

February 21, 2005

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

4 The General Assembly of North Carolina enacts:

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

7 "**§ 121-13.3. Protection of North Carolina historic monuments and memorials.**

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

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

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

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

20 (3) Upon the authority of the public or private body responsible for the
21 protection, preservation, upkeep, or care of the monuments,
22 memorials, plaques, markers, or historic flag displays. Any monument,
23 memorial, plaque, marker, or historic flag display removed for
24 protection, preservation, upkeep, or care must be returned to its
25 original location when the activity is completed or, if the activity
26 involves construction or roadwork that makes return to the original
27 location impossible, to an approximate location close to the original
28 location.

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

3 **SECTION 2.** This act becomes effective December 1, 2005, and applies to
4 offenses committed on or after that date.