

1 HB283
2 187910-1
3 By Representatives Givan, Moore (M) and Rogers (N & P)
4 RFD: State Government
5 First Read: 23-JAN-18

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8 SYNOPSIS: Under existing law, the Alabama Memorial
9 Preservation Act of 2017, relating to the
10 preservation of certain buildings, streets, and
11 schools, does not apply to certain buildings,
12 streets, or monuments that may interfere with the
13 public transportation system, utility services, or
14 port infrastructure or related activities.

15 This bill would provide that the Alabama
16 Memorial Preservation Act of 2017 does not apply to
17 a Class 1 municipality.

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19 A BILL
20 TO BE ENTITLED
21 AN ACT
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23 To amend Section 7 of Act 2017-354, now appearing as
24 Section 41-9-236 of the Code of Alabama 1975, relating to the
25 Alabama Memorial Preservation Act of 2017; to provide that the
26 act does not apply to a Class 1 municipality.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 7 of Act 2017-354, now appearing
2 as Section 41-9-236 of the Code of Alabama 1975, is amended to
3 read as follows:

4 "§41-9-236.

5 "This article does not apply to any of the
6 following:

7 "(1) Art and artifacts in the collections of
8 museums, archives, and libraries.

9 "(2) Any architecturally significant building,
10 memorial building, memorial street, or monument that is any of
11 the following:

12 "a. Located on public property under the control of,
13 or acquired by, the State Department of Transportation, which
14 may interfere with the construction, maintenance, or operation
15 of the public transportation system. The department shall
16 strive to ensure that any architecturally significant
17 building, memorial building, memorial street, or monument is
18 preserved to the greatest extent possible.

19 "b. Located on public property under the control of,
20 or acquired by, a county or municipal body or a university,
21 which may interfere with the construction, maintenance, or
22 operation of the public transportation system. The governing
23 body of the county, municipality, or university shall strive
24 to ensure that any architecturally significant building,
25 memorial building, memorial street, or monument is preserved
26 to the greatest extent possible.

1 "c. Located on public property operated or used by a
2 utility, which may interfere with providing utility service.
3 The utility shall strive to ensure that any architecturally
4 significant building, memorial building, memorial street, or
5 monument is preserved to the greatest extent possible.

6 "d. Located on public property under the control of,
7 or acquired by, the Alabama State Port Authority, which may
8 interfere with the construction, maintenance, or operation of
9 the port infrastructure or port related activities. The
10 authority shall strive to ensure that any architecturally
11 significant building, memorial building, memorial street, or
12 monument is preserved to the greatest extent possible.

13 "e. Located on public property under the control of,
14 or acquired by, a Class 1 municipality."

15 Section 2. This act shall become effective on the
16 first day of the third month following its passage and
17 approval by the Governor, or its otherwise becoming law.