

1 **SENATE FLOOR VERSION**

2 February 11, 2016

3 **AS AMENDED**

4 SENATE BILL NO. 970

By: Simpson of the Senate

and

Roberts (Dustin) of the
House

8 An Act relating to historical preservation;
9 prohibiting the removal, relocation, alteration,
10 renaming or rededication of certain statues,
11 monuments, memorials, nameplates or plaques;
12 prohibiting persons from preventing certain entities
13 from maintaining certain structures; defining term;
14 providing procedures for certain waiver; providing
15 for exception; providing for codification; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2.1a of Title 53, unless there
20 is created a duplication in numbering, reads as follows:

21 A. 1. No statue, monument, memorial, nameplate or plaque which
22 been erected for, or named or dedicated in honor of, World War I,
23 World War II, the Korean Conflict, the Vietnam War, Operation Urgent
24 Fury (Grenada), Operation El Dorado Canyon (Libya), Operation Just
Cause (Panama), Operation Desert Shield/Desert Storm (Persian Gulf
War I), Operation Enduring Freedom (Afghanistan) and Operation Iraqi

1 Freedom (Persian Gulf War II), and is located on public property,
2 may be relocated, removed, altered, renamed, rededicated or
3 otherwise disturbed.

4 2. No statue, monument, memorial, nameplate, plaque, historic
5 flag display, school, street, bridge, building, park, preserve or
6 reserve which has been erected for, or named or dedicated in honor
7 of, any historical military figure, historical military event,
8 military organization or military **unit**, and is located on public
9 property, may be renamed or rededicated.

10 B. No person may prevent the governmental entity having
11 responsibility for maintaining any of the items, structures or areas
12 described in subsection A from taking proper and appropriate
13 measures, and exercising proper and appropriate means, for the
14 protection, preservation, care, repair or restoration of such items,
15 structures or areas.

16 C. For the purposes of this section, "public property" means
17 all property owned or leased by the state of Oklahoma, any county,
18 municipality, metropolitan government or any other entity that is
19 created by act of the legislature to perform any public function.

20 D. Any entity exercising control of public property on which an
21 item, structure or area described in subsection A is located may
22 petition the Oklahoma Historical Society for a waiver to this
23 section. A petition for waiver shall be in writing and shall state
24 the reason, or reasons, upon which the waiver is sought. At any

1 regularly scheduled meeting of the Oklahoma Historical Society Board
2 of Directors, the Board may grant a petition for a waiver, by a
3 majority vote of those present and voting. The Board may include
4 reasonable conditions and instructions to ensure that any items,
5 structures or areas are preserved to the greatest extent possible.

6 E. This section shall not apply to items, structures or areas
7 described in subsection A that are located on public property under
8 the control of, or acquired by, the Oklahoma Department of
9 Transportation, which may interfere with the construction,
10 maintenance or operation of the public transportation system. The
11 department shall strive to ensure that any such items, structures or
12 areas are preserved to the greatest extent possible.

13 SECTION 2. This act shall become effective November 1, 2016.

14 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS
15 February 11, 2016 - DO PASS AS AMENDED
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