

SENATE BILL 1098

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 11 and Title 12, relative to historical relics.

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

WHEREAS, the Sons of Confederate Veterans' organization is the direct heir of the United Confederate Veterans' nonprofit organization and the oldest hereditary organization for male descendants of Confederate soldiers. Organized at Richmond, Virginia, in 1896, the Sons of Confederate Veterans continues to serve as a historical, patriotic, and non-political organization dedicated to ensuring that a true history of the 1861-1865 period is preserved; and

WHEREAS, the collection of artifacts under the management of the State Museum relating to the Confederate States of America consists of eighty flags, or fragments of flags, as well as over four hundred other items consisting of uniform pieces, clothing, weapons, books, currency, artwork, historical documents, and personal items related to this State's involvement in the Confederate States of America, most of which are not on display, thus being maintained by the State museum in storage at the expense of taxpayers; now, therefore,

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 12, Part 1, is amended by adding the following new section:

(a) Notwithstanding § 4-1-412 or another law to the contrary, the state museum shall relinquish and transfer possession, maintenance, storage, and the process of preservation of all historical relics relating to the Confederate States of America that are not currently on display, and currently under the care and management of the state museum, including all items related to the Confederate States of America assumed from

the Tennessee historical society beginning in 1927, to the Sons of Confederate Veterans' nonprofit organization to be managed by the general executive council of the Sons of Confederate Veterans and housed at the Sons of Confederate Veterans' general headquarters in this state.

(b)

(1) Taxpayer monies from residents of this state must not be used to affect the physical transfer of the collection of artifacts from the state museum to the Sons of Confederate Veterans' general headquarters in this state. The total cost and labor to complete the transition must be paid for and conducted by the Sons of Confederate Veterans.

(2) The appropriate level of care, handling, and protection for the preparation and transportation of the historical items will be determined and managed by the curators of the confederate museum at the headquarters of the Sons of Confederate Veterans. Curators, legal representatives, and members of the Sons of Confederate Veterans must be allowed unrestricted access to the collection of historical items related to the Confederate States of America under the care and management of the state museum for the purpose of an inventory audit conducted by delegates of the Sons of Confederate Veterans, and for preparation of transition of the historical items to the Sons of Confederate Veterans' organization. The audit findings and results must be made available to the sponsors of this legislation and executive staff of the state museum.

(3) Should the ownership of any historical items be in dispute after transfer from the state museum to the Sons of Confederate Veterans' museum, determination of ownership must be decided following presentation of the question to the joint government operations committee of the general assembly.

(c)

(1) Artifacts related to the Confederate States of America in this state's history that are currently on display prior to the effective date of this act, that are not in storage, must remain in the possession of the state museum and remain on permanent display for public observance and educational purposes inside the state museum. This section affects the transfer, cost of care, and management of all items related to the Confederate States of America to the Sons of Confederate Veterans that are under the care of the state museum which are not currently on public display inside the physical showroom of the Civil War and Reconstruction permanent exhibition at the state museum.

(2) Should any of the historical items currently on display in the Civil War and Reconstruction permanent exhibition at the state museum be removed from public view, except for the temporary act of physical preservation or maintenance of the historical items, possession of the said items removed from public view must be immediately transferred to the Sons of Confederate Veterans' organization for full ownership, care, and preservation.

(3) Taxpayer monies from residents of this state must not be used in the future transfer of historical items from the state museum to the Sons of Confederate Veterans, and all costs and labor to complete the transition must be paid and conducted by the Sons of Confederate Veterans.

(d) This section does not provide for the transfer of the Lieutenant General Nathan Bedford Forrest bust created in 1977 by Joseph E. Johnston, Camp #28, Sons of Confederate Veterans, and which was donated for placement in the state capitol where it remained on display until Friday July 23, 2021, when it was transferred to the Tennessee state museum.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.