

2017 Regular Session

SENATE BILL NO. 198

BY SENATOR MIZELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HISTORIC PRESERVATION. Provides for legislative approval prior to the removal of monuments by local or political subdivisions. (gov sig)

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AN ACT

To enact Chapter 8-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:528 and 528.1, relative to historical monuments and memorials; to provide for the protection of monuments and memorials; to require legislative approval prior to removal of monuments; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 8-A of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:528 and 528.1, is hereby enacted to read as follows:

CHAPTER 8-A. HISTORICAL LINGUISTIC AND CULTURAL

ORIGINS PROTECTION ACT

§528. Purpose; legislative intent; short title

A. Article XII, Sec. 4, of the Constitution of Louisiana guarantees "(t)he right of people to preserve, foster, and promote their respective historical linguistic and cultural origins".

B.(1) In furtherance of the rights declared in the Constitution of Louisiana, it is the intention of the legislature to protect all aspects of our state history as an educational tool to promote our past achievements and learn from

1 **our past mistakes.**

2 **(2) In furtherance of the legislature's intent, this Chapter shall be known**
3 **as the "Historical Linguistic and Cultural Origins Protection Act".**

4 **§528.1. Protections; prohibitions, approval of the legislature**

5 **A. No item listed in Subsection B of this Section, which is displayed on**
6 **public property of the state, or any political subdivision thereof, shall be**
7 **relocated, removed, disturbed, or altered unless such action has received prior**
8 **approval by a concurrent resolution of the legislature.**

9 **B. Those items which are subject to this Chapter include all of the**
10 **following:**

11 **(a) Any museum, scientific, or cultural facility provided for in Title 25**
12 **of the Louisiana Revised Statutes of 1950.**

13 **(b) Any monument, memorial, or plaque which has been in existence for**
14 **at least twenty-five years.**

15 **(c) Any landmark listed on the National Register of Historical Places.**

16 **(d) Any landmark listed on any historical registry which has received**
17 **any state or federal funds.**

18 Section 2. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
21 vetoed by the governor and subsequently approved by the legislature, this Act shall become
22 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Ashley Mitchell Carter.

DIGEST

SB 198 Original 2017 Regular Session Mizell

Proposed law provides that it is the intention of the legislature to preserve the historical educational tools of our state in furtherance of the rights declared in the Louisiana Constitution.

Proposed law provides that the following items must have approval by the legislature prior to being relocated, removed, disturbed, or altered:

- (1) Any museum, scientific or cultural facility provided for in Title 25 of the Louisiana Revised Statutes of 1950.
- (2) Any monument, memorial, or plaque which has been in existence for at least twenty-five years.
- (3) Any landmark listed on the National Register of Historical Places.
- (4) Any landmark listed on any historical registry which has received any state or federal funds.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 25:528 and 528.1)