

2017 Regular Session

HOUSE BILL NO. 71

BY REPRESENTATIVES CARMODY, AMEDEE, BISHOP, DEVILLIER, HODGES,  
HORTON, HOWARD, PUGH, SEABAUGH, SHADOIN, AND THOMAS AND  
SENATOR APPEL

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

CULTURE/REC/TOUR: Provides for the conservation of public military memorials

1 AN ACT

2 To enact R.S. 25:915, relative to military memorials on public property; to prohibit state and  
3 local governmental entities from taking actions that would be detrimental to such  
4 memorials; to provide for conservation of such memorials; and to provide  
5 exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. This Act shall be known as the Louisiana Military Memorial Conservation  
8 Act.

9 Section 2. R.S. 25:915 is hereby enacted to read as follows:

10 §915. Military memorial conservation

11 A.(1) No memorial, including any structure, plaque, statue, or monument,  
12 that is located on public property and that commemorates the Revolutionary War,  
13 War of 1812, Mexican-American War, War Between the States, Spanish-American  
14 War, World War I, World War II, Korean War, Vietnam War, Persian Gulf War,  
15 War in Iraq, or any Native American War shall be altered, removed, relocated, or  
16 destroyed.

17 (2) No public memorial, including any structure, plaque, statue, monument,  
18 school, street, bridge, building, park, or area, that has been dedicated in memory of  
19 or named for any historical military figure, historical military event, military

1        organization, or military unit shall be altered, removed, relocated, destroyed,  
2        rededicated, or renamed.

3                B. Notwithstanding Subsection A of this Section, the state agency or political  
4        subdivision responsible for maintaining any such memorial may take actions it  
5        deems necessary for the protection, preservation, care, repair, or restoration of a  
6        memorial.

7                C. Notwithstanding Subsection A of this Section, a parish or municipal  
8        governing authority may take an action otherwise prohibited by Subsection A if a  
9        proposition authorizing the action has been approved by a majority of the voters who  
10       vote on the proposition at an election held for that purpose in accordance with  
11       Louisiana Election Code. A parish or municipal governing authority may call an  
12       election for the purpose of submitting such a proposition to its voters on a date  
13       provided in R.S. 18:402.

14       Section 3. This Act shall become effective upon signature by the governor or, if not  
15 signed by the governor, upon expiration of the time for bills to become law without signature  
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
18 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 71 Reengrossed

2017 Regular Session

Carmody

**Abstract:** Prohibits state and local government entities from taking actions with respect to removal or destruction of public military memorials.

Proposed law prohibits altering, removing, relocating, or destroying a memorial, including any structure, plaque, statue, or monument that is located on public property and that commemorates specified wars in U.S. history. Further prohibits altering, removing, relocating, destroying, rededicating, or renaming a public memorial, including any structure, plaque, statue, monument, school, street, bridge, building, park, or area, that has been dedicated in memory of or named for any historical military figure, historical military event, military organization, or military unit.

Proposed law provides, however, that the state agency or political subdivision responsible for maintaining any such memorial may take actions it deems necessary for the protection, preservation, care, repair, or restoration of a memorial.

Proposed law authorizes a parish or municipal governing authority to take an action otherwise prohibited by proposed law if the action is approved by the voters at an election held in accordance with the La. Election Code and on a regularly scheduled election date as provided by the code. Authorizes calling an election for this purpose.

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

(Adds R.S. 25:915)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Authorize a parish or municipal governing authority to take an action otherwise prohibited by proposed law if the action is approved by the voters.

The House Floor Amendments to the engrossed bill:

1. Add requirement that elections be held in accordance with the La. Election Code and on a regularly scheduled election date as provided by the code.