

1 **CORRECTED**

2 ENGROSSED SENATE
3 BILL NO. 970

By: Simpson of the Senate

and

4 Roberts (Dustin) of the
5 House

6
7 [historical preservation - certain statues,
8 monuments, memorials, nameplates or plaques -
exception - codification - effective date]

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

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

15 A. 1. No statue, monument, memorial, nameplate or plaque which
16 been erected for, or named or dedicated in honor of, World War I,
17 World War II, the Korean Conflict, the Vietnam War, Operation Urgent
18 Fury (Grenada), Operation El Dorado Canyon (Libya), Operation Just
19 Cause (Panama), Operation Desert Shield/Desert Storm (Persian Gulf
20 War I), Operation Enduring Freedom (Afghanistan) and Operation Iraqi
21 Freedom (Persian Gulf War II), and is located on public property,
22 may be relocated, removed, altered, renamed, rededicated or
23 otherwise disturbed.

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

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

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

17 D. Any entity exercising control of public property on which an
18 item, structure or area described in subsection A is located may
19 petition the Oklahoma Historical Society for a waiver to this
20 section. A petition for waiver shall be in writing and shall state
21 the reason, or reasons, upon which the waiver is sought. At any
22 regularly scheduled meeting of the Oklahoma Historical Society Board
23 of Directors, the Board may grant a petition for a waiver, by a
24 majority vote of those present and voting. The Board may include

1 reasonable conditions and instructions to ensure that any items,
2 structures or areas are preserved to the greatest extent possible.

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

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

11 Passed the Senate the 8th day of March, 2016.

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Presiding Officer of the Senate

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15 Passed the House of Representatives the ____ day of _____,
16 2016.

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Presiding Officer of the House
of Representatives

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