

# SENATE BILL REPORT

## SB 5059

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As of January 26, 2021

**Title:** An act relating to protecting state and federal monuments, memorials, and statues from damage intentionally inflicted during the course of unpeaceful demonstrations or riots.

**Brief Description:** Concerning protecting state and federal monuments, memorials, and statues from damage intentionally inflicted during the course of unpeaceful demonstrations or riots.

**Sponsors:** Senators McCune, Holy and Wagoner.

**Brief History:**

**Committee Activity:** Law & Justice: 1/26/21.

**Brief Summary of Bill**

- Expands the definition of monument to include property owned by the federal government, state, or other municipalities.
- Raises the classification of defacing a monument to a class C felony.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Alicia Kinne-Clawson (786-7407)

**Background:** Defacing a monument or memorial on the state capitol campus or state property is a misdemeanor.

In certain circumstances, the Veterans' Memorial Preservation and Recognition Act (VMPRA) criminalizes the willful injury or destruction, or attempted willful injury or destruction, of any structure, plaque, statue, or other monument on public property commemorating the service of any person or persons in the armed forces of the United States. A person convicted of violating this provision may be imprisoned up to ten years, making the crime a felony. The VMPRA is in its scope to monuments on federal property

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or instances of interstate commerce.

Class C felonies are punishable by a maximum term of confinement of five years and maximum fine of \$10,000.

**Summary of Bill:** The act of defacing a statue, monument, or memorial on the capitol campus or other property owned by a public body is a class C felony.

"Public body" means the federal government, state of Washington, its agencies, institutions, political subdivisions, and municipal and quasi-municipal corporations.

**Appropriation:** None.

**Fiscal Note:** Requested on January 20, 2021.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This monument bill will give the greatest protection to state and federal monuments. Our history is important to all of us and generations to come. Some of these monuments would cost millions of dollars to replace. They teach Washingtonians our history. This bill would help make it a better deterrent to protect our monuments in this state.

**Persons Testifying:** PRO: Senator Jim McCune, Prime Sponsor.

**Persons Signed In To Testify But Not Testifying:** No one.