

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 970

By: Simpson

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5  
6 AS INTRODUCED

7 An Act relating to historical preservation;  
8 prohibiting the removal, relocation, alteration,  
9 renaming or rededication of certain statues,  
10 monuments, memorials, nameplates or plaques;  
11 prohibiting persons from preventing certain entities  
from maintaining certain structures; defining term;  
providing procedures for certain waiver; providing  
for exception; providing for codification; and  
providing an effective date.

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

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

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

1 may be relocated, removed, altered, renamed, rededicated or  
2 otherwise disturbed.

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

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

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

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

1 of Directors, the Board may grant a petition for a waiver, by a  
2 majority vote of those present and voting. The Board may include  
3 reasonable conditions and instructions to ensure that any items,  
4 structures or areas are preserved to the greatest extent possible.

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

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

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