

House Bill 760

By: Representative Jones of the 62nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 4 of Article 6 of Chapter 3 of Title 12 of the Official Code of Georgia
2 Annotated, relating to the Stone Mountain Memorial Association, and Code Section 50-3-1
3 of the Official Code of Georgia Annotated, relating to description of state flag, militia to
4 carry flag, defacing public monuments, and obstruction of Stone Mountain, so as to provide
5 for memorials to the Civil War era and the augmenting of such memorials; to provide for
6 related matters; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 4 of Article 6 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated,
11 relating to the Stone Mountain Memorial Association, is amended by revising paragraph (7)
12 of Code Section 12-3-191, relating to definitions, as follows:

13 "(7) 'Project' means Stone Mountain and property adjacent thereto acquired by the
14 association and all accommodations, utilities, facilities, services, and equipment
15 necessary or convenient, and all property, real, personal, or mixed, used or useful,
16 including franchises and easements, in constructing, erecting, improving, remodeling,
17 developing, equipping, adding to, extending, maintaining, managing, and operating Stone
18 Mountain, located in DeKalb County, Georgia, and property adjacent thereto, as a
19 ~~Confederate~~ memorial to the Civil War era and public recreational area, and the
20 construction, improvement, development, maintenance, management, operation, and
21 extension of any part thereof, as to which the association has undertaken or agreed to
22 undertake any action permitted by this part."

23 **SECTION 2.**

24 Said part is further amended by revising Code Section 12-3-192.1, relating to purposes of the
25 association, as follows:

26 "12-3-192.1.

27 The purposes of the Stone Mountain Memorial Association shall include:

28 (1) To preserve the natural areas situated within the Stone Mountain Park area;

29 (2) To provide access to Stone Mountain for Georgia's citizens; ~~and~~

30 (3) To maintain an appropriate and suitable memorial for the Confederacy; and

31 (4) To maintain an appropriate, inclusive, and historically accurate memorial to the Civil
32 War era."

33 **SECTION 3.**

34 Code Section 50-3-1 of the Official Code of Georgia Annotated, relating to description of
35 state flag, militia to carry flag, defacing public monuments, and obstruction of Stone
36 Mountain, is amended by revising paragraph (2) of subsection (b) as follows:

37 "(2) No publicly owned monument or memorial erected, constructed, created, or
38 maintained on the public property of this state or its agencies, departments, authorities,
39 or instrumentalities in honor of the military service of any past or present military
40 personnel of this state, the United States of America or the several states thereof, or the
41 Confederate States of America or the several states thereof shall be relocated, removed,
42 concealed, obscured, or altered in any fashion; provided, however, that appropriate
43 measures for the preservation, protection, and interpretation of such monuments or
44 memorials shall not be prohibited; and provided, further, that there shall be no limit on
45 the state or its agencies, departments, authorities, or instrumentalities overseeing such
46 monuments or memorials from augmenting such monuments or memorials in historically
47 accurate and appropriate manners."

48 **SECTION 4.**

49 This Act shall become effective upon its approval by the Governor or upon its becoming law
50 without such approval.

51 **SECTION 5.**

52 All laws and parts of laws in conflict with this Act are repealed.