

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 90

BY STATE AFFAIRS COMMITTEE

AN ACT

1
2 RELATING TO MONUMENTS AND MEMORIALS; AMENDING CHAPTER 1, TITLE 73, IDAHO
3 CODE, BY THE ADDITION OF A NEW SECTION 73-123, IDAHO CODE, TO PROVIDE FOR
4 THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Chapter 1, Title 73, Idaho Code, be, and the same is
7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
8 ignated as Section 73-123, Idaho Code, and to read as follows:

9 73-123. PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS. No historical
10 monuments or memorials in place prior to July 1, 2021, erected on public
11 property of the state or any of its political subdivisions may be relocated,
12 removed, disturbed, or altered without approval of the legislature by con-
13 current resolution. No school, street, bridge, structure, park, preserve,
14 reserve, or other public area of the state or any of its political subdivi-
15 sions in place prior to July 1, 2021, dedicated in memory of or named for
16 any historic figure or historic event may be renamed or rededicated without
17 approval of the legislature by concurrent resolution. No person may prevent
18 the public body responsible for the monument or memorial from taking proper
19 measures and exercising proper means for the protection, preservation, and
20 care of the monuments, memorials, or nameplates. Notwithstanding any other
21 limitations provided in this section, a monument, memorial, or nameplate may
22 be removed, relocated, or altered in a manner otherwise provided by Idaho
23 Code as necessary to accommodate construction, repair, or improvements to
24 the monument, memorial, nameplate, or to the surrounding public property
25 on which the monument, memorial, or nameplate is located. Any monument,
26 memorial, or nameplate that is permanently removed under this section must
27 be relocated to a location of similar prominence.