

Senate Bill 588

By: Senators Mullis of the 53rd, Johnson of the 1st, Smith of the 52nd, Thomas of the 54th, Hamrick of the 30th and others

AS PASSED

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 50-3-1 of the Official Code of Georgia Annotated, relating to the state flag and the protection of public monuments honoring the military, so as to provide for the protection of privately owned monuments honoring past or present military personnel; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 50-3-1 of the Official Code of Georgia Annotated, relating to the state flag and the protection of public monuments honoring the military, is amended by striking paragraph (3) of subsection (b) and inserting in its place the following:

"(3) Conduct prohibited by paragraphs (1) and (2) of this subsection shall be enjoined by the appropriate superior court upon proper application therefor.

(4) It shall be unlawful for any person, firm, corporation, or other entity acting without authority to mutilate, deface, defile, abuse contemptuously, relocate, remove, conceal, or obscure any privately owned monument, plaque, marker, or memorial which is dedicated to, honors, or recounts the military service of any past or present military personnel of this state, the United States of America or the several states thereof, or the Confederate States of America or the several states thereof. Any person or entity who suffers injury or damages as a result of a violation of this paragraph may bring an action individually or in a representative capacity against the person or persons committing such violations to seek injunctive relief and to recover general and exemplary damages sustained as a result of such person's or persons' unlawful actions."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.