



General Assembly

Substitute Bill No. 5400

January Session, 2023



AN ACT CONCERNING THE PRESERVATION OF STONE WALLS IN THE STATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) (1) No person shall
2 intentionally dismantle a stone wall without authorization of the
3 owner or owners of such stone wall to dismantle such stone wall. For
4 purposes of this section, if a stone wall sits upon or forms a boundary
5 line between parcels of land, the owners of each parcel shall be
6 considered the owners of such stone wall.

7 (2) No person shall steal stones from a stone wall.

8 (3) For purposes of this section, "stone wall" means a vertical
9 structure of aligned natural stone customarily arranged with a stone
10 coursing pattern that is marked by the utilization of consistent stone
11 type, joint width, construction and the distribution of stones by size.

12 (b) Any person who violates the provisions of subsection (a) of this
13 section shall be guilty of a class D misdemeanor. Any person who is
14 found guilty or pleads guilty to a violation of subsection (a) of this
15 section may be ordered to make restitution to the owner or owners of
16 such stone wall as a part of such person's sentence or disposition. Any
17 such restitution may include, but need not be limited to, the value of
18 the dismantled stone wall, portion thereof or any such stolen stones, as

19 applicable, the reasonable value of any labor and other materials
20 necessary to repair or return such wall to the condition such wall was
21 in prior to the dismantling or theft, as applicable, and any other
22 reasonable expenses that, in the discretion of the court, are necessary to
23 do justice in disposing of the case.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2023</i>	New section
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JUD *Joint Favorable Subst.*