

House Bill 1198

By: Representatives Sholar of the 179<sup>th</sup> and Broome of the 160<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 12-3-621 of the Official Code of Georgia Annotated, relating to  
2 prohibited acts as to archeological, aboriginal, prehistoric, or historic sites, notification of  
3 the state archeologist before beginning the investigation or disturbance of a site, and  
4 penalties, so as to provide an exemption from the prohibition against disturbing certain  
5 submerged archeological, aboriginal, prehistoric, or historic sites; to repeal conflicting laws;  
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 12-3-621 of the Official Code of Georgia Annotated, relating to prohibited acts  
10 as to archeological, aboriginal, prehistoric, or historic sites, notification of the state  
11 archeologist before beginning the investigation or disturbance of a site, and penalties, is  
12 amended by striking in its entirety paragraph (2) of subsection (a) and inserting in lieu  
13 thereof the following:

14 "(2) Disturb or alter in any manner the prevailing condition of any archeological,  
15 aboriginal, prehistoric, or historic site; provided, however, that except for human remains  
16 and burial objects, this paragraph shall not apply to the collecting of artifacts exposed on  
17 the surface of dry land; and provided, further, that this paragraph shall not apply to the  
18 collecting of isolated submerged finds such as artifacts that have become displaced from  
19 their archeological context because of erosion or water currents and are not considered  
20 of primary archeological significance because they have become isolated from their sites  
21 of origin and are not within an archeological, aboriginal, prehistoric, or historic site, so  
22 long as the collection of such isolated submerged finds is reported to the department in  
23 such manner as specified by the department;"

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.