

House Bill 1642

By: Representatives Broome of the 160th and Sholar of the 179th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to parks,
2 historic resources, memorials, and recreation, so as to provide that artifacts located on or in
3 certain privately owned riverbeds shall not be subject to the law relating to submerged
4 cultural resources but shall be subject to the law relating to protection of archeological,
5 aboriginal, prehistoric, and historic sites; to change certain provisions of law relating to
6 prohibited acts as to archeological, aboriginal, prehistoric, and historic sites so as to expand
7 the applicability of such provisions; to provide for related matters; to provide an effective
8 date; to repeal conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to parks, historic
12 resources, memorials, and recreation, is amended by adding at the end of Part 3 of Article
13 3 a new Code Section 12-3-84 to read as follows:

14 "12-3-84.

15 Nothing in this part shall apply to any artifact on or in the bed of a navigable river when
16 such riverbed is privately owned by a person or entity other than the state, and such
17 artifacts shall instead be subject to Article 9 of this chapter."

18 **SECTION 2.**

19 Said chapter is further amended by striking paragraphs (1) and (2) of subsection (a) of Code
20 Section 12-3-621, relating to prohibited acts as to archeological, aboriginal, prehistoric, or
21 historic sites, and inserting in their place new paragraphs to describe prohibited acts and to
22 read as follows:

23 "(1) Dig, probe, break, crack, carve upon, write upon, burn, or otherwise mark upon,
24 remove, or in any manner destroy, disturb, deface, mar, or harm the structures, features,
25 surfaces, or contents of archeological, aboriginal, prehistoric, or historic sites; provided,

