

House Bill 177 (AS PASSED HOUSE AND SENATE)

By: Representatives Scott of the 2<sup>nd</sup>, Loudermilk of the 14<sup>th</sup>, Neal of the 1<sup>st</sup>, and Franklin of the 43<sup>rd</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 protection and regulation of archeological, aboriginal, prehistoric, or historic sites, so as to  
3 change the type and manner of notice required to be given to the state archeologist prior to  
4 investigating such sites or seeking to recover artifacts; to provide for related matters; to  
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 12-3-621 of the Official Code of Georgia Annotated, relating to protection and  
9 regulation of archeological, aboriginal, prehistoric, or historic sites, is amended by revising  
10 subsection (b) as follows:

11 "(b) When the surface of any archeological, aboriginal, prehistoric, or historic site is  
12 disturbed by a person not documented as operating under the provisions of Section 106 of  
13 the National Historic Preservation Act, as amended, for the purpose of investigating the site  
14 or discovering artifacts with the written permission of the landowner, such person shall  
15 notify the state archeologist ~~in writing at least five business days~~ before beginning any such  
16 investigation or disturbance. The state archeologist shall maintain a web site and telephone  
17 hot line, available at all times, for the purpose of receiving notice in such form as shall be  
18 specified by policy of the department. The state archeologist shall immediately notify the  
19 Council on American Indian Concerns created by Code Section 44-12-280 of any such  
20 investigation that might involve American Indian human remains or burial objects. The  
21 state archeologist shall make available to the council any information pertaining to  
22 investigations conducted pursuant to Section 106 of the National Historic Preservation Act,  
23 as amended."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.