

House Bill 43

By: Representatives Lim of the 98<sup>th</sup>, Taylor of the 173<sup>rd</sup>, Mathiak of the 74<sup>th</sup>, McClain of the 109<sup>th</sup>, and Mainor of the 56<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 7 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated,  
2 relating to protection of American Indian human remains and burial objects, so as to revise  
3 the membership of the Council on American Indian Concerns; to revise addresses of  
4 American Indian Tribes; to provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 7 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to  
9 protection of American Indian human remains and burial objects, is amended in Code  
10 Section 44-12-280, relating to Council on American Indian Concerns created, membership,  
11 assignment for administrative purposes, terms of office, and removal for failure to attend  
12 meetings, by revising subsection (b) as follows:

13 "(b) There is created the Council on American Indian Concerns, which shall consist of nine  
14 members to be appointed by the Governor. Five members shall be American Indians, with  
15 at least one member representing each of the American Indian tribes of Georgia identified  
16 in Code Section 44-12-300. Three members shall represent the scientific community and

17 shall include at least one archeologist and one anthropologist; provided, however, that, if  
 18 no anthropologist can be identified who is willing to serve, then the membership reserved  
 19 to an anthropologist shall be filled by a person who holds a master's degree or a higher  
 20 degree in the field of anthropology and is currently active in the profession. One member  
 21 shall be selected from the general public at large. All members of the council shall be legal  
 22 residents of the State of Georgia. The Governor shall consult the tribal groups located in  
 23 the state recognized by general law, the Human Relations Commission, the Georgia  
 24 Council of Professional Archaeologists, the Society for Georgia Archaeology, and the  
 25 Department of Natural Resources for recommendations before appointing members of the  
 26 council."

27 **SECTION 2.**

28 Said article is further amended in Code Section 44-12-300, relating to tribes, bands, groups,  
 29 or communities recognized by state as legitimate American Indian Tribes, by revising  
 30 subsection (a) as follows:

31 "(a) The State of Georgia officially recognizes as legitimate American Indian tribes of  
 32 Georgia the following tribes, bands, groups, or communities:

33 (1) The Georgia Tribe of Eastern Cherokee

34 P.O. Box ~~1993~~ 1323

35 Dahlonega, Georgia 30533;

36 (2) The Lower Muscogee Creek Tribe

37 Tama Reservation

38 ~~Route 2, Box 370~~ 107 Tall Pine Drive

39 Whigham, Georgia ~~31797~~ 39897; and

40 (3) The Cherokee of Georgia Tribal Council

41 110 Cherokee Way

42 Saint George, Georgia ~~31646~~ 31562."

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**SECTION 3.**

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