

Hall of the House of Representatives
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of House Bill No. 1068

"AN ACT TO PROTECT ARCHEOLOGICAL SITES AND TO INCREASE THE PENALTIES
FOR DISTURBING ARCHEOLOGICAL SITES."

Amendment No. 2 to House Bill No. 1068.

Amend House Bill No. 1068 as engrossed, H1/22/07 (version: 01-22-2007 08:43):

Page 1, delete line 31 and substitute "one hundred (100) years old."

AND

Page 2, line 1, delete "one (1) or more" and substitute "a significant amount of"

AND

Page 3, delete lines 2 through 6 and substitute the following:

"~~(b)~~(2) However, no sites shall be so designated without the express written consent of the state agency having jurisdiction over the land in question or, if it is on privately owned land, of the owner thereof."

AND

Page 3, line 9, delete "artifacts" and substitute "one (1) or more artifacts"

AND

Page 3, delete lines 11 and 12 and substitute the following:

"~~agents agent shall be~~ is a:

(1) ~~misdemeanor~~ Class D felony for the first offense and a Class C felony for a subsequent offense if the value of the artifacts excavated or recovered is greater than one thousand dollars (\$1,000); or

(2) Class B misdemeanor for the first offense and a Class A misdemeanor for a subsequent offense if the value of the artifacts excavated or recovered is one thousand dollars (\$1,000) or less."

AND

Page 3, delete lines 22 and 23 and substitute the following:



"(2) A violation of subdivision (a)(1) of this section is a:
(A) Class D felony for the first offense and a Class C
felony for a subsequent offense if the value of all artifacts dug up is
greater than one thousand dollars (\$1,000); or
(B) Class B misdemeanor for the first offense and a Class
A misdemeanor for a subsequent offense if the value of all artifacts dug up
is one thousand dollars (\$1,000) or less."

AND

Page 3, line 35, delete "knowingly" and substitute "knowingly dig up and
remove,"

AND

Page 4, delete lines 5 and 6 and substitute the following:

"a:

(1) Class D felony for the first offense and a Class C felony
for a subsequent offense if the value of all artifacts dug up and removed or
damage to the archeological site is greater than one thousand dollars
(\$1,000); or

(2) Class B misdemeanor for the first offense and a Class A
misdemeanor for a subsequent offense if the value of all artifacts dug up and
removed or damage to the archeological site is one thousand dollars (\$1,000)
or less."

The Amendment was read _____
By: Representative Ragland
DLP/SML - 01-31-2007 12:25
DLP179

Chief Clerk