Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1	State of Arkansas As Engrossed: S2/26/99 S3/11/99 S3/24/99 S3/29/99 S4/1/99 S4/5/99
2	82nd General Assembly A Bill
3	Regular Session, 1999SENATE BILL 501
4	
5	By: Senator Bradford
6	
7	
8	For An Act To Be Entitled
9	"AN ACT TO AMEND ARKANSAS CODE ANNOTATED §§ 13-6-406,
10	13-6-407, AND 13-6-408 TO INCREASE THE CRIMINAL
11	PENALTIES FOR DISPLAYING HUMAN SKELETAL BURIAL REMAINS
12	AND DESECRATING BURIAL GROUNDS; AND FOR OTHER
13	PURPOSES. "
14	
15	Subtitle
16	"AN ACT TO INCREASE CRIMINAL PENALTIES
17	FOR DISPLAYING HUMAN SKELETAL BURIAL
18	REMAINS AND DESECRATING BURIAL GROUNDS."
19	
20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21	
22	SECTION 1. Arkansas Code Annotated § 13-6-406 is amended to read as
23	follows:
24 25	"13-6-406. Trade or collection of remains.
25 27	(a) Anyone who knowingly buys, sells, or barters human skeletal burial
26 27	remains or their associated burial furniture is committing a Class A
27 20	misdemeanor <u>D</u> felony for the first offense and a Class $P C$ felony on the
28 29	second and subsequent offenses. (b) Artifacts as defined in this subchapter and private collections
29 30	legally acquired prior to July 15, 1991, are exempted from this section.
30 31	(c) Nothing in this subchapter prohibits the collecting of such
32	artifacts by landowners or others who do so with the landowner's permission."
32 33	
33 34	SECTION 2. Arkansas Code Annotated § 13-6-407 is amended to read as
34 35	follows:
36	"13-6-407. Display of remains.
50	

\*VJF068\*

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As Engrossed: S2/26/99 S3/11/99 S3/24/99 S3/29/99 S4/1/99 S4/5/99

SB501

1 Anyone who knowingly displays human skeletal burial remains for profit 2 or to aid and abet a commercial enterprise is committing a Class B misdemeanor 3 C felony with each day of display being a separate offense." 4 SECTION 3. Arkansas Code Annotated § 13-6-408 is amended to read as 5 follows: 6 7 "13-6-408. Desecration of burial grounds and burial furniture. 8 (a) Anyone who intentionally or knowingly desecrates or permits 9 desecration of a burial ground and associated burial furniture is committing on the first offense a Class A misdemeanor D felony and on the second or 10 11 subsequent offenses, a Class D C felony. 12 The presence in the ground of grave markers, caskets, or casket (b) 13 hardware creates a rebuttable presumption that these are burial furniture and of the existence or presence of a human burial ground. 14 15 (c) Exempted from this section is disturbance of human skeletal burial 16 remains or burial furniture by landowners or agricultural tenants as a consequence of agricultural activity. 17 18 19 SECTION 4. All provisions of this Act of a general and permanent nature 20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code 21 Revision Commission shall incorporate the same in the Code. 22 23 SECTION 5. If any provision of this Act or the application thereof to 24 any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without 25 the invalid provision or application, and to this end the provisions of this 26 Act are declared to be severable. 27 28 29 SECTION 6. All laws and parts of laws in conflict with this Act are 30 hereby repealed. 31 /s/ Bradford 32 33 34 35 36

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