AN ACT

ENTITLED, An Act to require that records of archaeological sites be maintained and to provide that certain records remain confidential.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 1-20-21 be amended to read as follows:

1-20-21. The state archaeologist, on behalf of the State Historical Society Board of Trustees shall conduct, as part of that board's statewide survey of historic properties, a survey of archaeological sites located within the state and maintain records of such sites.

Section 2. That chapter 1-20 be amended by adding thereto a NEW SECTION to read as follows:

Any records maintained pursuant to § 1-20-21 pertaining to the location of an archaeological site shall remain confidential to protect the integrity of the archaeological site. The state archaeologist may make the information from the records of an archeological site available to any agency of state government and any political subdivision of the state or to any tribe, which, in the opinion of the state archaeologist, may conduct an activity that affects any such site. The state archaeologist shall also make the information from the records of an archeological site available to the owner of the land that is an archeological site and may make the information available to any qualified researcher or research entity.

Section 3. That chapter 34-27 be amended by adding thereto a NEW SECTION to read as follows:

Any record maintained pursuant to § 1-20-21 pertaining to the location of unmarked burials and other human remains shall remain confidential to protect the integrity of unmarked burials, human skeletal remains, and associated funerary objects. The state archaeologist may make the information from the records of such a site available to any agency of state government and any political subdivision of the state or to any tribe, which, in the opinion of the state archaeologist, may conduct

activities that affect any such burial or human remains. The state archaeologist shall also make the information from the records of such a site available to the owner of the land that is such a site and may make the information available to any qualified researcher or research entity.

An Act to require that records of archaeological sites be maintained and to provide that certain records remain confidential.

I certify that the attached Act originated in the

HOUSE as Bill No. 1286

_____
Chief Clerk

_____
Speaker of the House

Attest:

_____
Chief Clerk

_____
President of the Senate

Attest:

_____
Secretary of the Senate

House Bill No. 1286
File No. ____
Chapter No. _____

Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby approved this _____ day of _____ , A.D., 20___

_____
Governor

STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____ , 20___
at _____ o'clock __ M.

_____
Secretary of State

By _____
Asst. Secretary of State