

Antiquities Protection Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stewart E. Barlow

Senate Sponsor: David P. Hinkins

LONG TITLE

General Description:

This bill amends provisions related to historic preservation.

Highlighted Provisions:

This bill:

- directs the State Historic Preservation Office (office) to conduct a statewide public awareness media campaign to educate and inform the public on issues relating to cultural sites;
- requires the office to provide seminars and training to agencies, organizations, and individuals on the preservation and protection of cultural sites; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

9-8a-203, as last amended by Laws of Utah 2024, Chapter 323

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **9-8a-203** is amended to read:

9-8a-203 . Office duties.

The office shall:

- (1) secure, for the present and future benefit of the state, the protection of archaeological resources and sites which are on state lands;
- (2) foster increased cooperation and exchange of information between state authorities, the

- professional archaeological community, and private individuals;
- (3) in cooperation with federal and state agencies, local governments, private organizations, and private individuals, direct and conduct a comprehensive statewide survey of historic properties;
- (4) maintain an inventory of the properties described in Subsection (3);
- (5) identify and nominate eligible property to the National Register of Historic Places;
- (6) administer applications for listing historic property on the National Register of Historic Places;
- (7) prepare and implement a comprehensive statewide historic preservation plan;
- (8) administer the state program of federal assistance for historic preservation within the state;
- (9) advise and assist, as appropriate, state agencies, federal agencies, and local governments in carrying out ~~[their]~~ the state agency's, federal agency's, and local government's historic preservation responsibilities;
- (10) cooperate with federal agencies, state agencies, local agencies, private organizations, and individuals to ensure that historic property is taken into consideration at all levels of planning and development;
- ~~[(11) provide, with respect to historic preservation:]~~
- ~~[(a) public information;]~~
- ~~[(b) education;]~~
- ~~[(c) training; and]~~
- ~~[(d) technical assistance;]~~
- (11) conduct a state-wide public awareness media campaign to:
- (a) educate the public regarding the protection, purpose, significance, and value of preserving cultural sites, as that term is defined in Section 9-8a-205;
- (b) inform the public of the law with regard to criminal acts and penalties in Title 76, Chapter 6, Part 9, Cultural Sites Protection; and
- (c) educate the public on how to report criminal acts;
- (12) provide educational seminars and training to state agencies, local agencies, private organizations, and individuals regarding the preservation and protection of state cultural sites;
- ~~[(12)]~~ (13) cooperate with local governments in the development of local historic preservation programs;
- ~~[(13)]~~ (14) consult with appropriate federal agencies with respect to:

- 63 (a) federal undertakings that may affect historic properties; and
- 64 (b) advising and assisting in the evaluation of proposals for rehabilitation projects that
- 65 may qualify for federal assistance;
- 66 ~~[(14)]~~ (15)(a) create and maintain an inventory of all active and inactive cemeteries
- 67 throughout the state;
- 68 (b) enter into cooperative agreements with local governments and other groups and
- 69 organizations to collect and maintain the information needed for the inventory
- 70 described in Subsection ~~[(14)(a)]~~ (15)(a);
- 71 (c) encourage the use of volunteers to help collect the information and to maintain the
- 72 inventory described in Subsection ~~[(14)(a);]~~ (15)(a);
- 73 (d) encourage cemetery owners, or in the case of inactive or small historic cemeteries,
- 74 volunteers, to create and maintain geographic information systems to record burial
- 75 sites;
- 76 (e) publicize the information in the inventory described in Subsection ~~[(14)(a)]~~ (15)(a) in
- 77 a variety of forms and media, especially to encourage Utah citizens to participate in
- 78 the care and upkeep of historic cemeteries;
- 79 (f) work with public and private cemeteries, heritage organizations, genealogical groups,
- 80 and volunteer groups to help maintain, repair, and landscape cemeteries, grave sites,
- 81 and tombstones; and
- 82 (g) make the inventory described in Subsection ~~[(14)(a)]~~ (15)(a) available to any person
- 83 upon request;
- 84 ~~[(15)]~~ (16)(a) create and maintain a public electronic record of each cemetery location
- 85 and each burial location;
- 86 (b) help maintain, repair, and landscape cemeteries, grave sites, and tombstones by
- 87 providing matching grants to:
- 88 (i) municipal cemeteries;
- 89 (ii) cemetery maintenance districts;
- 90 (iii) endowment care cemeteries;
- 91 (iv) private nonprofit cemeteries;
- 92 (v) genealogical associations; or
- 93 (vi) other nonprofit groups with an interest in cemeteries; and
- 94 (c) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
- 95 Rulemaking Act, governing the process for awarding grants under Subsection (15)(b),
- 96 including rules that ensure recipients use grant money for projects that are cost

97 effective and completed in accordance with applicable professional standards;
98 [(16)] (17) perform other duties as designated under 54 U.S.C. Sec. 302303; and
99 [(17)] (18) perform other duties as designated by the department and by statute.

100 Section 2. **Effective Date.**

101 This bill takes effect on May 7, 2025.