

## Part 9 Cultural Sites Protection

### **76-6-901 Definitions.**

As used in this part:

- (1) "Antiquities" means:
  - (a) all material remains and their associations, recoverable through excavation or surface collection, that provide information pertaining to the historic or prehistoric peoples in the state; and
  - (b) vertebrate fossils and other exceptional fossils and fossil sites designated as state landmarks.
- (2) "Landowner" includes the School and Institutional Trust Lands Administration with respect to lands sold by the School and Institutional Trust Lands Administration and upon which a restrictive deed covenant has been imposed by the School and Institutional Trust Lands Administration.
- (3) "Persons" means an individual, corporation, partnership, trust, institution, association, or any other private entity or any officer, employee, agent, department, or instrumentality of the United States, of any Native American tribe, or of any state or political subdivision of any state.
- (4) "State lands" means all lands owned by:
  - (a) Utah, including school and institutional trust lands and lands sold by the School and Institutional Trust Lands Administration subject to a restrictive deed covenant for the protection of antiquities; and
  - (b) political subdivisions.

Amended by Chapter 111, 2006 General Session

### **76-6-902 Prohibitions.**

- (1) It is unlawful for any person to intentionally alter, remove, injure, or destroy antiquities from state lands or private lands without the landowner's consent.
- (2) It is unlawful to intentionally reproduce, rework, or forge any antiquities or make any object, whether copies or not, or falsely label, describe, identify, or offer for sale or exchange any object with the intent to represent the object as original and genuine, nor may any person offer any object for sale or exchange that was collected or excavated in violation of this chapter.

Amended by Chapter 111, 2006 General Session

### **76-6-903 Penalties.**

- (1) A person is guilty of a class B misdemeanor if that person:
  - (a) violates this part; or
  - (b) counsels, procures, solicits, or employs any other person to violate this part.
- (2) A person is guilty of a third degree felony if:
  - (a) that person commits a second or subsequent violation described in Subsection (1); or
  - (b) the amount calculated under Subsection (3) for a violation described in Subsection (1) exceeds \$500.
- (3) The amount described in Subsection (2)(b) is calculated by adding the:
  - (a) commercial or archaeological value of the antiquities involved in the violation; and
  - (b) cost of the restoration and repair of the antiquities involved in the violation.

- (4) All articles and material discovered, collected, excavated, or offered for sale or exchange shall be surrendered to the landowner.

Amended by Chapter 394, 2013 General Session