

CS/HB 803

2016

1 A bill to be entitled
2 An act relating to historic and archaeological
3 artifacts; amending s. 267.115, F.S.; directing the
4 Division of Historical Resources of the Department of
5 State to implement a program to administer the
6 discovery of certain historic and archaeological
7 artifacts; providing program requirements; directing
8 the division to adopt rules; providing an effective
9 date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (9) of section 267.115, Florida
14 Statutes, is amended to read:

15 267.115 Objects of historical or archaeological value.—The
16 division shall acquire, maintain, preserve, interpret, exhibit,
17 and make available for study objects which have intrinsic
18 historical or archaeological value relating to the history,
19 government, or culture of the state. Such objects may include
20 tangible personal property of historical or archaeological
21 value. Objects acquired under this section belong to the state,
22 and title to such objects is vested in the division.

23 (9) (a) The division shall ~~may~~ implement a program to
24 administer the discovery finds of isolated historic or
25 archaeological artifacts from sovereignty submerged lands. The
26 program shall include, at a minimum:

27 1. An application for an annual permit and an application
28 fee of \$100.

29 2. A written agreement to report all discovered and
30 removed artifacts to the division within 14 days after the
31 discovery and removal, along with a map indicating the location
32 of the discovery and photographs of the artifacts, and to allow
33 the division to inspect, analyze, and photograph any such
34 artifacts.

35 3. A requirement that tools may not be used for the
36 excavation of any isolated artifacts, except that a trowel or
37 hand-held implement may be used to extract exposed artifacts
38 from a packed matrix in a river or lake bottom.

39 4. A map of clearly defined areas and sites that are
40 excluded from excavation activities. The map must be provided to
41 the applicant with the issuance of a permit.

42 5. Authorization to transfer ownership rights for
43 discovered artifacts to the permitholder.

44 6. Penalties for violations of program requirements,
45 including, but not limited to, an administrative fine of up to
46 \$1,000 and forfeiture of the permit and ownership rights for any
47 artifacts discovered under the program.

48 (b) The division shall adopt rules to administer this
49 subsection. Such rules shall include, at a minimum:

50 1. Procedures for sending a notice of violation.

51 2. Procedures for imposing an administrative fine ~~state-~~
52 owned river bottoms whereby the division may transfer ownership

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53 ~~of such artifacts to the finder in exchange for information~~
54 ~~about the artifacts and the circumstances and location of their~~
55 ~~discovery.~~

56 Section 2. This act shall take effect July 1, 2016.