

By Senator Dean

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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; providing
8 an effective date.

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

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

14 267.115 Objects of historical or archaeological value.—The
15 division shall acquire, maintain, preserve, interpret, exhibit,
16 and make available for study objects which have intrinsic
17 historical or archaeological value relating to the history,
18 government, or culture of the state. Such objects may include
19 tangible personal property of historical or archaeological
20 value. Objects acquired under this section belong to the state,
21 and title to such objects is vested in the division.

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

26 (a) An application for an annual permit and an application
27 fee of \$100.

28 (b) A written agreement to report all discovered and
29 removed artifacts to the division within 14 days after the

5-01591-16

20161054__

30 discovery and removal, along with a map indicating the location
31 of the discovery and photographs of the artifacts, and to allow
32 the division to inspect, analyze, and photograph any such
33 artifacts.

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

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

41 (e) Authorization to transfer ownership rights for
42 discovered artifacts to the permitholder.

43 (f) Penalties for violations of program requirements,
44 including, but not limited to, an administrative fine of up to
45 \$1,000 and forfeiture of the permit and ownership rights for any
46 artifacts discovered under the program ~~state-owned river bottoms~~
47 ~~whereby the division may transfer ownership of such artifacts to~~
48 ~~the finder in exchange for information about the artifacts and~~
49 ~~the circumstances and location of their discovery.~~

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