

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Coroners-archeological burials.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to county coroners; providing for
2 exhumation of human remains; providing for notification to
3 state archeologist of archeological human burials; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 7-4-105 is created to read:

9

10 **7-4-105. Archeological human burials.**

11

1 (a) Notwithstanding W.S. 6-4-501, the county coroner
2 shall have jurisdiction over all human remains discovered
3 in the county.

4

5 (b) When human remains are discovered, the county
6 coroner shall determine the approximate age of the remains.
7 If the human remains constitute an archeological human
8 burial the coroner shall notify the state archeologist.

9

10 (c) An archeological human burial may be exhumed by
11 the state archeologist in coordination with the county
12 coroner.

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14 (d) The state archeologist and coroner shall notify
15 and consult with appropriate native american tribes when
16 any archeological human burial and associated grave goods
17 are determined by the state archeologist to be native
18 american or culturally affiliated with one (1) or more
19 native american tribes.

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21 (e) For purposes of this section:

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1 (i) "Archeological human burial" means human
2 remains where the death of the human is determined to have
3 occurred more than one hundred (100) years prior to the
4 remains being discovered;

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6 (ii) "Human remains" means any inadvertently
7 found human remains;

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9 (iii) "Human remains" and "archeological human
10 burials" do not include remains found in known or marked
11 graves or in established cemeteries.

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13 **Section 2.** W.S. 6-4-501(a) is amended to read:

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15 **6-4-501. Opening graves and removing bodies; penalty;**
16 **exception.**

17

18 (a) Except as provided in W.S. 7-4-105, a person who
19 opens a grave or tomb and removes a body or remains of a
20 deceased person for any purpose without the knowledge and
21 consent of near relations of the deceased commits a
22 misdemeanor punishable by a fine of not more than seven
23 hundred fifty dollars (\$750.00).

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Section 3. This act is effective July 1, 2009.

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(END)