

**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 archaeologist of archaeological 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. Archaeological human burials.**

11

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

4

5           (b)   When human remains are discovered, the county  
6 coroner shall be notified. The coroner shall determine the  
7 approximate age of the burial location. If the human  
8 remains constitute an archaeological human burial the  
9 coroner shall notify the state archaeologist.

10

11           (c)   An archaeological human burial may only be  
12 exhumed by the state archaeologist in coordination with the  
13 county coroner and only when exhumation is in the public  
14 interest.

15

16           (d)   Human remains shall be treated with respect,  
17 dignity and with consideration of religious, spiritual and  
18 ethnic evidence present at the burial.

19

20           (e)   The state archaeologist and coroner shall notify  
21 and consult with appropriate native american tribes when  
22 any archaeological human burial and associated grave goods  
23 are determined by the state archaeologist to be native

1 american and culturally affiliated with one (1) or more  
2 native american tribes.

3

4 (e) For purposes of this section "archaeological  
5 human burial" means human remains where the death of the  
6 human is determined to have occurred more than one hundred  
7 (100) years prior to the remains being discovered but does  
8 not include remains found in known or marked graves or in  
9 established cemeteries.

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

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13 **6-4-501. Opening graves and removing bodies; penalty;**  
14 **exception.**

15

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

22

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

1

2

(END)