



AN ACT PROVIDING PRIORITY TO LOCAL MUSEUMS FOR DEPOSITS OF PALEONTOLOGICAL REMAINS ON STATE LANDS; AND AMENDING SECTION 22-3-432, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 22-3-432, MCA, is amended to read:

**"22-3-432. Antiquities permits.** (1) A person may not excavate, remove, or restore any heritage property or paleontological remains on lands owned by the state without first obtaining an antiquities permit from the historic preservation officer.

(2) Antiquities permits are to be granted only after careful consideration of the application for a permit and after consultation with the appropriate state agency. Permits are subject to strict compliance with the following guidelines:

(a) Antiquities permits may be granted only for work to be undertaken by reputable museums, universities, colleges, or other historical, scientific, or educational institutions, societies, or persons with a view toward dissemination of knowledge about cultural properties, provided a permit may not be granted unless the historic preservation officer is satisfied that the applicant possesses the necessary qualifications to guarantee the proper excavation of those sites and objects that may add substantially to knowledge about Montana and its antiquities.

(b) The antiquities permit must specify that a summary report of the investigations, containing relevant maps, documents, drawings, and photographs, must be submitted to the historic preservation officer. The historic preservation officer shall determine the appropriate time period allowable between all work undertaken and submission of the summary report.

(3) All heritage property and paleontological remains collected under an antiquities permit are the permanent property of the state and must be deposited in museums or other approved institutions within the

state or may be loaned to qualified institutions outside the state, ~~unless otherwise provided for in the antiquities permit.~~ These procedures must consider the needs of approved in-state museums or institutions that are most proximate to excavation. For fossils that don't meet scientific criteria as significant, approval may not be unreasonably withheld.

(4) An antiquities permit is not a substitution for any other type of permit that a state agency may require for other purposes."

- END -

I hereby certify that the within bill,  
HB 586, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

HOUSE BILL NO. 586

INTRODUCED BY G. OBLANDER, D. LOGE, R. FITZGERALD, R. KNUDSEN, K. ZOLNIKOV, L. DEMING, G.

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