



State-Tribal Relations Committee

60th Montana Legislature

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May 1, 2008

TO: Retail outlets (Members of the Montana Retail Association), airport retail shops, and museums in Montana

FROM: State-Tribal Relations Committee

RE: Sale of Indian arts and crafts

As the summer tourism season starts across this great state, the State-Tribal Relations Committee of the Montana Legislature would like to remind you of the unique opportunities to highlight the sale of Indian arts and crafts in your shops and to point out possibly overlooked state laws that require imitation Indian arts or crafts to be "clearly and legibly designated as imitation". The laws describe what is considered an authentic Indian arts or crafts article and requires that imitation Indian arts or crafts also be physically separated from the real deal. Although these laws do not require the Indian arts and crafts to be of Montana origin, the State-Tribal Relations Committee urges you to contact Montana Indian artists if you are interested in selling Indian arts and crafts. If you have questions about the designation of authenticity, please contact:

30-14-601. Definitions. As used in this part, the following definitions apply:

(1) "Imitation Indian arts or crafts articles" means those made by machine or made wholly out of synthetic or artificial materials or articles which are not made by Indian labor or workmanship.

(2) "Indian" means a person who is enrolled or who is a lineal descendant of one enrolled upon an enrollment listing of the bureau of Indian affairs or upon the enrollment listing of a recognized Indian tribe, domiciled in the United States.

30-14-602. Articles to be designated and segregated. A person may not distribute, sell, or offer for sale in this state any imitation American Indian arts or crafts articles unless the articles are at all times clearly and legibly designated as imitation. All imitation articles must be physically segregated from authentic Indian articles for display purposes. All imitation Indian arts or crafts articles must be displayed near a sign prominently and legibly designating the articles as imitation.

30-14-603. Designation of authenticity. Only those articles bearing a registered trademark or label of authentic Indian labor or workmanship may be deemed authentic Indian arts or crafts articles.