

32-GH2541\I  
Bullard  
4/4/22

**CS FOR HOUSE BILL NO. 399(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered:  
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to historical, prehistoric, or archeological resources; and relating to  
2 unlawful acts involving historical, prehistoric, or archeological resources."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 \* **Section 1.** AS 41.35.200(a) is amended to read:

5 (a) A person may not **intentionally, knowingly, or recklessly** appropriate,  
6 excavate, remove, injure, or destroy, without a permit from the commissioner, any  
7 historic, prehistoric, or archeological resources of the state.

8 \* **Sec. 2.** AS 41.35.200(b) is amended to read:

9 (b) A person may not **intentionally, knowingly, or recklessly** possess, sell,  
10 buy, or transport within the state, or offer to sell, buy, or transport within the state,  
11 historic, prehistoric, or archeological resources taken or acquired in violation of this  
12 section or **18 U.S.C. 1866(b)** [16 U.S.C. 433].

13 \* **Sec. 3.** AS 41.35.200 is amended by adding new subsections to read:

14 (e) A person may not obtain information classified as confidential by law with

the intent to use that information to commit, or aid another person in committing, a violation of this section.

(f) In this section,

(1) "intentionally" has the meaning given in AS 11.81.900;

(2) "knowingly" has the meaning given in AS 11.81.900;

(3) "recklessly" has the meaning given in AS 11.81.900.

\* **Sec. 4.** AS 41.35.210 is amended to read:

**Sec. 41.35.210. Criminal penalties. Except as provided by (b) of this section, a** [A] person who is convicted of violating a provision of AS 41.35.010 - 41.35.240 is guilty of a class A misdemeanor.

\* **Sec. 5.** AS 41.35.210 is amended by adding a new subsection to read:

(b) A person convicted of violating AS 41.35.200(b) is guilty of a class C felony punishable as provided in AS 12.55.

\* **Sec. 6.** AS 41.35.230 is amended by adding a new paragraph to read:

(3) "artifact" means an object made or crafted by humans.

\* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. AS 41.35.200(a), as amended by sec. 1 of this Act, AS 41.35.200(b), as amended by sec. 2 of this Act, AS 41.35.200(e) and (f), added by sec. 3 of this Act, AS 41.35.210, as amended by sec. 4 of this Act, AS 41.35.210(b), added by sec. 5 of this Act, and AS 41.35.230(3), added by sec. 6 of this Act, apply to offenses committed on or after the effective date of this Act.