

1 SB63  
2 194937-2  
3 By Senator McClendon  
4 RFD: Governmental Affairs  
5 First Read: 05-MAR-19

1 SB63

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4 ENROLLED, An Act,

5 To amend Section 41-9-291, Code of Alabama 1975,  
6 relating to the Alabama Underwater Cultural Resources Act, to  
7 amend the definition of cultural resources to delete the  
8 language that includes items that are eligible for, or listed  
9 in, the Alabama Register of Landmarks and Heritage.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 41-9-291, Code of Alabama 1975,  
12 is amended to read as follows:

13 "§41-9-291.

14 "As used in this division, the following terms shall  
15 have the following meanings:

16 (1) COMMISSION. The Alabama Historical Commission,  
17 acting as the custodian of cultural resources for the State of  
18 Alabama.

19 "(2) CONTRACTOR. Any individual, company,  
20 corporation, or private or public institution determined by  
21 the commission to be appropriately qualified and has applied  
22 for and received a permit or contract from the commission to  
23 begin exploration or excavation activities in state-owned  
24 waters.

1           "(3) CULTURAL RESOURCES. All abandoned shipwrecks or  
2 remains of those ships and all underwater archaeological  
3 treasures, artifacts, treasure troves, or other cultural  
4 articles and materials, whether or not associated with any  
5 shipwreck, that are contained in or on submerged lands  
6 belonging to the State of Alabama and the sea within the  
7 jurisdiction of the state, and that have remained unclaimed  
8 for more than 50 years, excluding therefrom sunken logs,  
9 cants, and timber resources of any other type not associated  
10 as part of a shipping vessel, and are eligible for, or listed  
11 in, the National Register of Historic Places ~~or the Alabama~~  
12 ~~Register of Landmarks and Heritage.~~

13           "(4) EXCAVATION. The study and intentional removal  
14 from submerged land belonging to the state, by accepted  
15 scientific methods, of any objects recognized as cultural  
16 resources.

17           "(5) EXPLORATION. The systematic examination by  
18 actual survey of an area of submerged land belonging to the  
19 state for the purpose of locating and recognizing cultural  
20 resources.

21           "(6) SUBMERGED LANDS. Lands under navigable  
22 waterways owned or controlled by the State of Alabama.

23           "(7) TREASURE TROVE. Any gold bullion, gold ingots,  
24 gold dust, silver bars, and other precious metals or stones."

1                   Section 2. This act shall become effective on the  
2 first day of the third month following its passage and  
3 approval by the Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB63  
Senate 30-APR-19  
I hereby certify that the within Act originated in and passed  
the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 30-MAY-19

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By: Senator McClendon