
SENATE BILL NO. 364—SENATORS KRASNER, GOICOECHEA,
SEEVERS GANSERT; FLORES, HANSEN, D. HARRIS AND
PAZINA

MARCH 22, 2023

Referred to Committee on Natural Resources

SUMMARY—Makes various changes relating to cultural remains.
(BDR 33-533)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cultural remains; requiring, under certain circumstances, a law enforcement agency to communicate with an Indian tribe regarding certain human remains; requiring the Office of Historic Preservation of the State Department of Conservation and Natural Resources to adopt certain regulations; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes the Office of Historic Preservation of the State
2 Department of Conservation and Natural Resources to adopt regulations to carry
3 out the provisions of existing law relating to the protection of Indian burial sites
4 and historic and prehistoric sites. (NRS 383.440) **Section 2** of this bill instead
5 requires the Office to adopt such regulations. **Section 3** of this bill requires that the
6 Office adopt such regulations not later than December 31, 2023.
7 **Section 1** of this bill provides that if a law enforcement agency goes to a
8 location where human remains are found that are thought to be a native Indian, the
9 law enforcement agency is required to communicate and collaborate with a
10 representative of an Indian tribe. **Section 2** makes a conforming change to indicate
11 the proper placement of **section 1** in the Nevada Revised Statutes.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 383 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 **1. *If a law enforcement agency goes to a location where***
4 ***human remains are found that are thought to be native Indian, the***
5 ***law enforcement agency must communicate and collaborate with a***
6 ***representative of an Indian tribe.***

7 **2. *As used in this section, “law enforcement agency” has the***
8 ***meaning ascribed to it in NRS 289.010.***

9 **Sec. 2.** NRS 383.440 is hereby amended to read as follows:

10 383.440 1. The Office ~~may~~ **shall** adopt regulations to carry
11 out the provisions of NRS 383.400 to 383.440, inclusive.

12 2. The Office shall adopt regulations as necessary to carry out
13 the provisions of NRS 383.150 to 383.440, inclusive, **and section 1**
14 ***of this act***, including, without limitation, regulations which set forth
15 the process for repatriation of prehistoric native Indian human
16 remains and funerary objects. The regulations must be developed in
17 consultation with Indian tribes and incorporate the values, beliefs
18 and traditions of the Indian tribes as determined and conveyed by
19 the members of the Indian tribes during the consultation with the
20 Office.

21 **Sec. 3.** Not later than December 31, 2023, the Office of
22 Historic Preservation of the State Department of Conservation and
23 Natural Resources shall adopt regulations to carry out the provisions
24 of NRS 383.150 to 383.440, inclusive, as required pursuant to NRS
25 383.440, as amended by section 2 of this act.

26 **Sec. 4.** This act becomes effective upon passage and approval.

