

SENATE BILL NO. 1749

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

7285S.031

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to the state office of archaeology.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 640, RSMo, is amended by adding thereto
2 one new section, to be known as section 640.2000, to read as
3 follows:

640.2000. 1. There is hereby established within the
2 department of natural resources the "State Office of
3 Archaeology" which shall work in conjunction with the state
4 historic preservation office, established under chapter 253,
5 and shall be responsible for establishing, implementing, and
6 administering federal and state programs or plans for
7 statewide archaeological and paleontological preservation.

8 2. The director of the department shall designate a
9 director of the office who shall serve as the state
10 archeological officer.

11 3. At a minimum, the director of the office shall be a
12 professional archaeologist, as defined in section 194.400.

13 4. The duties of the office shall include, but shall
14 not be limited to:

15 (1) Establishing, implementing, and administering a
16 statewide plan for archaeological and paleontological
17 preservation;

18 (2) Providing oversight over any archaeological site
19 that is at least one hundred and fifty years old. If any
20 such site is deemed to be holding significant archaeological
21 value or if there is interest from the land owner on whose
22 real property the site is located, the office shall conduct
23 a survey of the site and develop steps to minimize damage to
24 such site;

25 (3) Ensuring that all federal laws are followed
26 pertaining to archaeological and paleontological protection
27 of archaeological sites;

28 (4) Working in conjunction with the state historic
29 preservation office to oversee the implementation of
30 sections 194.400 to 194.410;

31 (5) Providing guidance, research assistance, and
32 technical information concerning the archaeological heritage
33 of the state;

34 (6) Coordinating with the state historic preservation
35 office for the maintenance of the state's archaeological
36 site files;

37 (7) Serving as the official repository of the state's
38 archaeological artifacts, including inventorying, analyzing,
39 and documenting the state's archaeological and
40 paleontological resources, and assessing the location of
41 such resources, including quantity and cultural significance
42 of such resources;

43 (8) Working in coordination with any other state
44 agency on the preservation of archaeological sites; and

45 (9) Entering into agreements and cooperative efforts
46 with the following governmental entities concerning
47 archaeological preservation:

48 (a) The Federal Highway Administration;

49 (b) The United States Department of Commerce;

50 (c) The United States Department of Interior;
51 (d) The United States Department of Agriculture;
52 (e) The United States Department of Defense; or
53 (f) Any other governmental agency interested in
54 archaeological preservation.

55 5. The department shall promulgate rules to implement
56 the provisions of this section. Any rule or portion of a
57 rule, as that term is defined in section 536.010, that is
58 created under the authority delegated in this section shall
59 become effective only if it complies with and is subject to
60 all of the provisions of chapter 536 and, if applicable,
61 section 536.028. This section and chapter 536 are
62 nonseverable and if any of the powers vested with the
63 general assembly pursuant to chapter 536 to review, to delay
64 the effective date, or to disapprove and annul a rule are
65 subsequently held unconstitutional, then the grant of
66 rulemaking authority and any rule proposed or adopted after
67 August 28, 2026, shall be invalid and void.

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