

AMENDMENT NO. \_\_\_\_\_

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
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\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 1319\***

**House Bill No. 1082**

by deleting in its entirety, all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 11-6-102(3), is amended by deleting the language “demonstratively buried” and by substituting instead the language “intentionally placed”.

SECTION 2. Tennessee Code Annotated, Section 11-6-102(3), is further amended by adding the language “at the time of burial or interment or at some subsequent time” at the end of the subdivision.

SECTION 3. Tennessee Code Annotated, Section 11-6-102, is amended by adding the following language as a new, appropriately designated subdivision:

( ) “Place of interment” means a grave, burial pit, mound, or structure created to house the body.

SECTION 4. Tennessee Code Annotated, Section 11-6-112, is amended by adding the following language as a new, appropriately designated subsections:

(d)

(1) It is an offense for a person to knowingly buy, sell or barter human remains.

(2) It is an offense for a person to knowingly remove Native American burial objects from a place of interment.

(3) It is an offense for a person to receive Native American burial objects knowing such objects to have been illegally removed from a place of interment.

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(4) It is an offense for a person to advertise or market an object such person knows was illegally removed from a place of interment as a genuine Native American burial object.

(5) It is an offense for a person to open any place of interment as an act of vandalism to desecrate the grave or with the intent to illegally remove human remains or burial objects from such place of interment.

Following a final conviction for a violation of this subsection, the court shall return burial objects unlawfully removed or obtained to the Tennessee Commission of Indian Affairs for proper disposition.

(e)

(1) A first violation of subsection (d) is a Class A misdemeanor.

(2) A second or subsequent violation of subsection (d) is a Class E felony.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.