ASSEMBLY BILL NO. 71–COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE OFFICE OF HISTORIC PRESERVATION
OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES)

PREFILED NOVEMBER 17, 2026

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to Indian affairs. (BDR 18-172)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: No.

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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 historic preservation; transferring certain duties, responsibilities and authorities concerning the preservation of certain prehistoric native Indian human remains, funerary objects and Indian burial sites and certain remains and artifacts found on such sites to the Department of Native American Affairs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires all departments, commissions, boards and other agencies of the State and its political subdivisions to cooperate with the Office of Historic Preservation of the State Department of Conservation and Natural Resources in order to salvage or preserve historic, prehistoric or paleoenvironmental evidence located on property owned or controlled by the Federal Government and the government of this State. Existing law further requires any agency of the State or its political subdivisions to notify the Office: (1) if, in preparing to excavate or perform work on such public property, the excavation or work may endanger historic, prehistoric or paleoenvironmental evidence on the site; or (2) when any artifact, site or other historic or prehistoric evidence is discovered in the course of the excavation or work. If the Office receives such a notification that concerns the potential endangerment of or the discovery of prehistoric native Indian human remains or a funerary object, existing law: (1) requires the Office to notify and initiate consultation with any Indian tribe that has certain connections to or

relationships with the relevant prehistoric native Indian human remains or funerary object; and (2) prescribes the process for such notification and consultation. (NRS 383.121) **Sections 2 and 7** of this bill transfer from the Office to the Department of Native American Affairs the duties to: (1) preserve prehistoric native Indian human remains and funerary objects located on public property; and (2) notify and initiate consultation with Indian tribes upon receiving a notification of the potential endangerment of or the discovery of prehistoric native Indian remains or a funerary object. Accordingly, **section 2**: (1) requires all state entities to cooperate with the Department to salvage or preserve prehistoric native Indian human remains and funerary objects located on public property; (2) requires an agency or contractor, with respect to excavation or work performed on public property, to notify the Department, rather than the Office, of the potential endangerment of or the discovery of prehistoric native Indian remains or a funerary object; and (3) transfers from the Office to the Department the requirement to respond to such a notification, by notifying and initiating consultation with affected Indian tribes to develop a resolution for the affected property.

Existing law requires the Office to take certain actions with respect to the preservation and protection of Indian burial sites and certain artifacts and human remains associated with such sites. Specifically, existing law requires the Office to: (1) assist interested landowners in contacting the Indian tribe with the closest cultural affiliation to any artifacts and human remains associated with an Indian burial site; (2) mediate disputes arising between a landowner and an Indian tribe regarding an Indian burial site; (3) upon receiving a report of the discovery of a previously unreported Indian burial site or an inadvertent disturbance to an Indian burial site, notify any Indian tribe with certain affiliations or relationships to the site for the purpose of facilitating consultation with the Indian tribe which has the closest cultural affiliation with the site, as determined by the Office; and (4) in performing those duties, generally endeavor to protect Indian burial sites and any associated artifacts and human remains from excavation, vandalism and destruction. (NRS 383.150-383.190) **Sections 9-13** of this bill transfer these duties, responsibilities and authorities from the Office to the Department.

Sections 3 and 14 of this bill transfer from the Office to the Department the duty to adopt regulations necessary to carry out the duties and responsibilities transferred by this bill to the Department, including regulations that establish a process for the repatriation of human remains and artifacts found on an Indian burial site. **Section 6** of this bill makes a conforming change to reflect that the duty to adopt such regulations has been transferred from the Office to the Department.

Section 8 of this bill makes conforming changes to update certain references to reflect the transfer of the duties set forth in **sections 2, 3 and 9-13** from the Office to the Department.

Sections 15 and 16 of this bill make other conforming changes relating to the applicability of certain provisions of existing law.

Section 19 of this bill requires the Legislative Counsel, when preparing the next reprint of the Nevada Revised Statutes, to move the provisions governing the protection of Indian burial sites, the authorities and duties under which are transferred by **sections 9-13** from the Office to the Department, to an existing chapter of the Nevada Revised Statutes governing Indian affairs. (Chapter 233A of NRS) **Section 4** of this bill makes a conforming change to apply the definitions applicable to the chapter of NRS governing Indian affairs to the provisions required by **section 19** to be transferred into that chapter of NRS. **Section 5** of this bill makes a conforming change to eliminate a reference that is no longer necessary because of the transfer of those provisions. **Section 9** makes conforming changes so that certain definitions remain applicable to the provisions that **section 19** requires to be transferred after the transfer is completed.

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

Section 1. Chapter 233A of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. ***1. All departments, commissions, boards and other agencies of the State and its political subdivisions shall cooperate with the Department in order to salvage or preserve prehistoric native Indian human remains or funerary objects located on property owned or controlled by the United States, the State of Nevada or its political subdivisions. The Department shall consult with Indian tribes to salvage or preserve prehistoric native Indian human remains or funerary objects located on such property.***

2. Except as otherwise provided in subsection 10, when any agency of the State or its political subdivisions is preparing or has contracted to excavate or perform work of any kind on property owned or controlled by the United States, the State of Nevada or its political subdivisions which may endanger prehistoric native Indian remains or a funerary object found on the property, or when prehistoric native Indian human remains or a funerary object is discovered in the course of such excavation or work, the agency or the contractor hired by the agency shall notify the Department.

3. Upon receiving notice pursuant to subsection 2 of the potential endangerment of or the discovery of prehistoric native Indian human remains or a funerary object, the Department shall immediately notify, in writing, and initiate consultation with any Indian tribe:

(a) Who is or is likely to be culturally affiliated with the prehistoric native Indian human remains or funerary object;

(b) On whose aboriginal lands the prehistoric native Indian human remains or funerary object was discovered; or

(c) Who is reasonably known to have a direct cultural relationship to the prehistoric native Indian human remains or funerary object.

4. The written notice given pursuant to subsection 3 must include a proposed time and place for the consultation with the Department.

5. Except as otherwise provided in subsection 6, within 10 days after the notice is given by the Department, the Department shall consult with the Indian tribe which has the closest cultural affiliation to the prehistoric native Indian human remains or funerary object, as determined by the Department.

6. Failure of an Indian tribe to respond within 10 days after notice has been given to the Indian tribe pursuant to subsection 3

shall be deemed a waiver of the requirement for consultation with the Indian tribe.

7. After the period for consultation described in subsection 5, the Department shall, to the fullest extent practicable, within the appropriations available to the agency of the State or its political subdivision described in subsection 2, develop a resolution for the affected property that is consistent with the standard of preservation described in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation as set forth in 48 Federal Register 44716 on September 29, 1983, and any amendments thereto.

8. The provisions of this section must be made known to all private contractors performing such excavation or work for any agency of the State or its political subdivisions.

9. The provisions of subsections 3 to 7, inclusive, do not apply to an agency of the State or its political subdivisions if the preparation or contract to excavate or perform work described in subsection 2 is subject to an existing agreement with:

(a) The closest culturally affiliated Indian tribe that relates to the discovery of prehistoric native Indian human remains or a funerary object; or

(b) A federal agency that was executed pursuant to federal law and that relates to the discovery of prehistoric native Indian human remains or a funerary object.

10. The requirements set forth in NRS 383.160 to 383.180, inclusive, apply if an Indian burial site is disturbed.

Sec. 3. ***The Department shall adopt regulations as necessary to carry out the provisions of NRS 383.123 and 383.150 to 383.190, inclusive, and sections 2 and 3 of this act, including, without limitation, regulations which set forth the process for repatriation of native Indian human remains and artifacts. The regulations must be developed in consultation with Indian tribes and incorporate the values, beliefs and traditions of the Indian tribes as determined and conveyed by the members of the Indian tribes during the consultation with the Department.***

Sec. 4. NRS 233A.001 is hereby amended to read as follows:

233A.001 As used in this chapter ~~[:]~~ ***and NRS 383.123 and 383.150 to 383.190, inclusive, and sections 2 and 3 of this act:***

1. "Commission" means the Nevada Indian Commission.

2. "Commissioner" means a commissioner of the Nevada Indian Commission.

3. "Department" means the Department of Native American Affairs.

4. "Executive Director" means the Executive Director of the Department.

5. "Museum" means the Stewart Indian School Cultural Center and Museum established pursuant to NRS 233A.1041.

Sec. 5. NRS 233A.1011 is hereby amended to read as follows:

233A.1011 The Department may:

1. Appoint advisory committees whenever necessary or appropriate to assist and advise the Department in the performance of its duties and responsibilities under this chapter.

2. Negotiate and contract with such other agencies, public or private, as it deems necessary or appropriate for such services, facilities, studies and reports to the Department as will best enable it to carry out the purposes for which it is created.

3. Cooperate with and secure the cooperation of state, county, city and other agencies, including Indian tribes, bands, colonies and groups and intertribal organizations in connection with the study or investigation of any matter within the scope of this chapter ***.*** ~~[or NRS 383.150 to 383.190, inclusive.]~~

4. Provide any information or assistance requested by the Department of Wildlife pursuant to NRS 502.280.

Sec. 6. NRS 383.021 is hereby amended to read as follows:

383.021 1. The Office of Historic Preservation is hereby created.

2. The Office shall:

(a) Encourage, plan and coordinate historic preservation and archeological activities within the State, including programs to survey, record, study and preserve or salvage cultural resources.

(b) ~~[Carry out the provisions of NRS 383.440.~~

~~(c)]~~ Compile and maintain an inventory of cultural resources in Nevada deemed significant by the Administrator.

~~[(d)]~~ ***(c)*** Designate repositories for the materials that comprise the inventory.

~~[(e)]~~ ***(d)*** Provide staff assistance to the Commission.

~~[(f)]~~ ***(e)*** Assist the State Public Works Division of the Department of Administration in conducting the evaluation required by NRS 701B.925 with respect to a building that is at least 50 years old, including, without limitation, making a recommendation regarding the use of an alternative to window replacement based upon whether the use of the alternative is consistent with the goal of historic preservation.

3. An Indian tribe may be designated as a repository to receive prehistoric native Indian human remains or funerary objects pursuant to paragraph ~~[(d)]~~ ***(c)*** of subsection 2 if agreed to by the Indian tribe.

4. The Comstock Historic District Commission is within the Office.

Sec. 7. NRS 383.121 is hereby amended to read as follows:

383.121 1. All departments, commissions, boards and other agencies of the State and its political subdivisions shall cooperate with the Office in order to salvage or preserve historic, prehistoric or paleoenvironmental evidence located on property owned or controlled by the United States, the State of Nevada or its political subdivisions. ~~[The Office shall consult with Indian tribes in order to salvage or preserve prehistoric native Indian human remains or funerary objects located on such property.]~~

2. Except as otherwise provided in subsection ~~[10,]~~ ***4,*** when any agency of the State or its political subdivisions is preparing or has contracted to excavate or perform work of any kind on property owned or controlled by the United States, the State of Nevada or its political subdivisions which may endanger historic, prehistoric or paleoenvironmental evidence found on the property, or when any artifact, site or other historic or prehistoric evidence is discovered in the course of such excavation or work, the agency or the contractor hired by the agency shall notify the Office and cooperate with the Office to the fullest extent practicable, within the appropriations available to the agency or political subdivision for that purpose, to preserve or permit study of such evidence before its destruction, displacement or removal.

3. ~~[Upon receiving notice pursuant to subsection 2 of the potential endangerment of or the discovery of prehistoric native Indian human remains or a funerary object, the Office shall immediately notify, in writing, and initiate consultation with any Indian tribe:~~

~~(a) Who is or is likely to be culturally affiliated with the prehistoric native Indian human remains or funerary object;~~

~~(b) On whose aboriginal lands the prehistoric native Indian human remains or funerary object was discovered; or~~

~~(c) Who is reasonably known to have a direct cultural relationship to the prehistoric native Indian human remains or funerary object.~~

~~4. The written notice must include a proposed time and place for the consultation with the Office.~~

~~5. Except as otherwise provided in subsection 6, within 10 days after the notice is given by the Office, the Office shall consult with the Indian tribe which has the closest cultural affiliation to the prehistoric native Indian human remains or funerary object as determined by the Office.~~

~~6. Failure of an Indian tribe to respond within 10 days after notice has been given to the Indian tribe pursuant to subsection 3 shall be deemed a waiver of the requirement for consultation with the Indian tribe.~~

~~7. After the period for consultation described in subsection 5, the Office shall, to the fullest extent practicable, within the appropriations available to the agency of the State or its political subdivision described in subsection 2, develop a resolution for the affected property that is consistent with the standard of preservation described in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation as set forth in 48 Federal Register 44716 on September 29, 1983, and any amendments thereto.~~

~~8.]~~ The provisions of this section must be made known to all private contractors performing such excavation or work for any agency of the State or its political subdivisions.

~~[9. The provisions of subsections 3 to 7, inclusive, do not apply to an agency of the State or its political subdivisions, with respect to prehistoric native Indian human remains or funerary objects, if the preparation or contract to excavate or perform work described in subsection 2 is subject to an existing agreement with:~~

~~(a) The closest culturally affiliated Indian tribe that relates to the discovery of prehistoric native Indian human remains or a funerary object; or~~

~~(b) A federal agency that was executed pursuant to federal law and that relates to the discovery of prehistoric native Indian human remains or a funerary object.~~

~~10.]~~ ***4.*** The requirements set forth in NRS ***383.123 and*** 383.150 to 383.180, inclusive, ***and sections 2 and 3 of this act*** apply ***with respect to the potential endangerment of or the discovery of prehistoric native Indian human remains or a funerary object, as defined in NRS 381.001, or*** if an Indian burial site, as defined in NRS 383.150, is disturbed.

Sec. 8. NRS 383.123 is hereby amended to read as follows:

383.123 Notwithstanding any provision of ~~[this chapter]~~ ***NRS 383.123 or 383.150 to 383.190, inclusive, or sections 2 and 3 of this act*** to the contrary, the ~~[Office]~~ ***Department*** is not required to provide notice to or consult with an Indian tribe as required ~~[pursuant to this chapter]~~ ***by NRS 383.123 or 383.150 to 383.190, inclusive, or sections 2 and 3 of this act*** if the ~~[Office]~~ ***Department*** provides such notice to or consultation with the Indian tribe pursuant to federal law.

Sec. 9. NRS 383.150 is hereby amended to read as follows:

383.150 As used in NRS ***383.123 and*** 383.150 to 383.190, inclusive, ***and sections 2 and 3 of this act,*** unless the context otherwise requires:

1. "Cairn" means stones or other material placed in a pile as a memorial or monument to the dead.

2. ***"Cultural affiliation" has the meaning ascribed to it in NRS 381.001.***

3. "Funerary object" has the meaning ascribed to it in NRS 381.001.

~~[3.]~~ ***4.*** "Grave" means an excavation for burial of a human body.

~~[4.]~~ ***5. "Indian tribe" means any tribe, band, nation or other organized group or community of Indians which is recognized as eligible for the special programs and services provided by the United States to native Indians because of their status as native Indians.***

6. "Indian burial site" means the area including and immediately surrounding the cairn or grave of a native Indian.

~~[5.]~~ ***7.*** "Nondestructive analysis" means analysis performed using scientific or technological techniques to evaluate the properties of a material, component or system without causing damage.

~~[6.]~~ ***8. "Prehistoric" has the meaning ascribed to it in NRS 381.195.***

9. "Professional archeologist" means a person who holds a graduate degree in archeology, anthropology or a closely related field as determined by the ~~[Administrator.]~~ ***Executive Director.***

Sec. 10. NRS 383.160 is hereby amended to read as follows:

383.160 The ~~[Office]~~ ***Department*** shall:

1. Upon application by:

(a) An interested landowner, assist the landowner in contacting the Indian tribe which has the closest cultural affiliation to an Indian burial site and any artifacts and human remains associated with the site so that the landowner may directly consult with the Indian tribe, if any, concerning the treatment and disposition of the Indian burial site and any artifacts and human remains associated with the site; and

(b) Either party, mediate a dispute arising between a landowner and an Indian tribe relating to the treatment and disposition of an Indian burial site and any artifacts and human remains associated with the site.

2. In performing its duties pursuant to NRS ~~[383.150]~~ ***383.160*** to 383.190, inclusive, endeavor to:

(a) Protect Indian burial sites and any associated artifacts and human remains from excavation, vandalism and destruction; and

(b) In consultation with the closest culturally affiliated Indian tribe, provide for the sensitive treatment and disposition of Indian burial sites and any associated artifacts and human remains consistent with the planned use of land.

3. Determine which Indian tribe has the closest cultural affiliation to the Indian burial site and any artifacts and human remains associated with the site.

Sec. 11. NRS 383.170 is hereby amended to read as follows:

383.170 1. Except as otherwise provided in subsections 2 and 3:

(a) A person who disturbs the cairn or grave of a native Indian through inadvertence while engaged in a lawful activity such as construction, mining, logging or farming or any other person who discovers the cairn or grave of a native Indian that has not been previously reported to the ~~[Office]~~ ***Department*** shall immediately report the discovery and the location of the Indian burial site to the ~~[Office.]~~ ***Department.***

(b) Upon receiving a report pursuant to paragraph (a), the ~~[Office]~~ ***Department*** shall immediately notify, in writing, and initiate consultation with any Indian tribe:

(1) Who is or is likely to be culturally affiliated with the Indian burial site;

(2) On whose aboriginal lands the Indian burial site was discovered; or

(3) Who is reasonably known to have a direct cultural relationship to the Indian burial site.

(c) The written notice must include a proposed time and place for the consultation with the ~~[Office.]~~ ***Department.***

(d) Except as otherwise provided in paragraph (e), within 10 days after the notice is given by the ~~[Office,]~~ ***Department,*** the landowner shall consult with the Indian tribe which has the closest cultural affiliation to the Indian burial site, as determined by the ~~[Office,]~~ ***Department,*** concerning the treatment and disposition of the site and all artifacts and human remains associated with the site. The Indian tribe may, with the permission of the landowner, inspect the site. Within 10 days after the inspection, if any, the Indian tribe may recommend an appropriate means for the treatment and disposition of the site and all artifacts and human remains associated with the site. Those recommendations may include, without limitation, that any human remains or artifacts associated with the site are:

(1) Preserved in place;

(2) Reinterred at another location that is determined in consultation with the Indian tribe which has the closest cultural affiliation to the human remains or artifacts associated with the site; or

(3) Returned to the closest culturally affiliated Indian tribe, in accordance with the repatriation process adopted pursuant to

~~[~~NRS 383.440,~~]~~ ***section 3 of this act,*** if a request for repatriation is made.

➥ Within 10 days after receiving the recommendations, if any, for the treatment and disposition of the site and all artifacts and human remains associated with the site, the landowner may appeal the recommendations to the ~~[~~Office.~~]~~ ***Department.***

(e) Failure of an Indian tribe to respond within 10 days after notice has been given to the Indian tribe pursuant to paragraph (b) shall be deemed a waiver of the requirement for consultation with the Indian tribe.

(f) If the Indian burial site is located on private land and:

(1) The ~~[~~Office~~]~~ ***Department*** fails to identify the closest culturally affiliated Indian tribe or consultation with the closest culturally affiliated Indian tribe is waived pursuant to paragraph (e); or

(2) The landowner rejects the recommendation made pursuant to paragraph (d) and mediation conducted pursuant to NRS 383.160 fails to provide measures acceptable to the landowner,

➥ the landowner shall, at his or her own expense, reinter with appropriate dignity all artifacts and human remains associated with the site in a location not subject to further disturbance.

(g) If the Indian burial site is located on public land and action is necessary to protect the burial site from immediate destruction, the ~~[~~Office~~]~~ ***Department*** may cause a professional archeologist to excavate the site and remove all artifacts and human remains associated with the site for subsequent reinterment, under the supervision of the closest culturally affiliated Indian tribe, if any.

(h) Any other excavation of an Indian burial site may be conducted only:

(1) By a professional archeologist;

(2) After written notification to the ~~[~~Administrator;~~]~~ ***Executive Director;*** and

(3) With the prior written consent of the closest culturally affiliated Indian tribe, if any. Failure of an Indian tribe to respond to a request for permission within 60 days after its mailing by certified mail, return receipt requested, shall be deemed consent to the excavation.

➥ All artifacts and human remains removed during such an excavation must be reinterred under the supervision of the closest culturally affiliated Indian tribe, if any, except that the Indian tribe may, by explicit written consent, authorize the public display of a particular artifact if the public display is respectful, as determined in consultation with the Indian tribe. The archeologist, closest culturally affiliated Indian tribe, if any, and landowner shall

negotiate an agreement to determine who will pay the expenses related to the interment.

(i) The ~~[Office]~~ ***Department*** shall determine which Indian tribe has the closest cultural affiliation to an Indian burial site and all artifacts and human remains associated with the site.

(j) Prehistoric native Indian human remains or funerary objects discovered at an Indian burial site:

(1) Must not be subjected to scientific study unless the ~~[Office]~~ ***Department*** reasonably determines that scientific study is necessary for the limited purpose of determining which Indian tribe has the closest cultural affiliation to the prehistoric native Indian human remains or funerary objects; and

(2) Must not be separated when the prehistoric native Indian human remains and funerary objects are reinterred.

(k) Nondestructive analysis on any other artifacts removed from an Indian burial site may be conducted only with the explicit written consent of the closest culturally affiliated Indian tribe, if any.

2. The provisions of subsection 1 do not apply, with respect to prehistoric Indian burial sites, to a permit issued pursuant to NRS 381.196.

3. The provisions of subsection 1 do not apply, with respect to prehistoric native Indian human remains or funerary objects, if the person who disturbed the cairn or grave of a native Indian through inadvertence while engaged in a lawful activity is subject to an existing agreement with:

(a) The closest culturally affiliated Indian tribe that relates to the discovery of prehistoric native Indian human remains or a funerary object; or

(b) A federal agency that was executed pursuant to federal law and that relates to the discovery of prehistoric native Indian human remains or a funerary object.

Sec. 12. NRS 383.175 is hereby amended to read as follows:

383.175 1. If a law enforcement agency goes to a location where human remains are found that are reasonably believed to be native Indian, the law enforcement agency must, as part of an investigation:

(a) Consult with a representative of an Indian tribe located within the county where the remains are found; or

(b) Notify the ~~[Office.]~~ ***Department.***

2. As used in this section, "law enforcement agency" has the meaning ascribed to it in NRS 289.010.

Sec. 13. NRS 383.180 is hereby amended to read as follows:

383.180 1. Except as otherwise provided in NRS 383.170, a person who willfully removes without obtaining any required

permit, mutilates, defaces, injures or destroys the cairn or grave of a native Indian:

(a) For a first offense, is guilty of a gross misdemeanor.

(b) For a second offense, is guilty of a category E felony and shall be punished as provided in NRS 193.130.

(c) For a third or subsequent offense, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

➥In addition to any other penalty, the court shall order a person found guilty of any violation of this subsection to pay restitution for the cost to reinter with appropriate dignity all artifacts and human remains associated with the cairn or grave.

2. A person who fails to notify the ~~[Office]~~ ***Department*** of the discovery and location of an Indian burial site in violation of NRS 383.170 is guilty of a gross misdemeanor and shall be punished by a fine of $500 for the first offense, or by a fine of not more than $1,500 for a second or subsequent offense, and may be further punished by imprisonment in the county jail for not more than 364 days.

3. A person who:

(a) Possesses any artifact or human remains taken from the cairn or grave of a native Indian on or after October 1, 1989, in a manner other than that authorized by NRS 383.170;

(b) Publicly displays or exhibits any of the human remains of a native Indian, except during a funeral ceremony; or

(c) Sells any artifact or human remains taken from the cairn or grave of a native Indian,

➥ is guilty of a category D felony and shall be punished as provided in NRS 193.130.

4. This section does not apply to:

(a) The possession or sale of an artifact:

(1) Discovered in or taken from a location other than the cairn or grave of a native Indian; or

(2) Removed from the cairn or grave of a native Indian by other than human action; or

(b) Action taken by a peace officer in the performance of his or her duties.

Sec. 14. NRS 383.440 is hereby amended to read as follows:

383.440 ~~[1.]~~ The Office may adopt regulations to carry out the provisions of NRS 383.400 to 383.440, inclusive.

~~[2. The Office shall adopt regulations as necessary to carry out the provisions of NRS 383.150 to 383.440, inclusive, including, without limitation, regulations which set forth the process for repatriation of prehistoric native Indian human remains and funerary objects. The regulations must be developed in consultation with Indian tribes and incorporate the values, beliefs and traditions of the~~

~~Indian tribes as determined and conveyed by the members of the Indian tribes during the consultation with the Office.]~~

Sec. 15. NRS 440.085 is hereby amended to read as follows:

440.085 The provisions of this chapter do not apply to the interment, removal or other disposition of the human remains of a native Indian pursuant to NRS ***383.123 and*** 383.150 to 383.190, inclusive ~~[.]~~ ***, and sections 2 and 3 of this act.***

Sec. 16. NRS 642.018 is hereby amended to read as follows:

642.018 This chapter does not apply to:

1. Persons engaged as layers-out or to those who shroud the dead.
2. Employees of any cemetery whose duty or business extends no further.
3. Officers or employees of any state or federal institution.
4. A person who inters the human remains of a native Indian pursuant to NRS ***383.123 and*** 383.150 to 383.190, inclusive ~~[.]~~ ***, and sections 2 and 3 of this act.***
5. Commissioned officers serving in the Armed Forces of the United States.
6. Persons who provide services regarding funerals for or the burial of pets only.

Sec. 17. The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 18. 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency

remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.

Sec. 19. When the next reprint of the Nevada Revised Statutes is prepared by the Legislative Counsel, the Legislative Counsel shall cause the provisions of NRS 383.123 and 383.150 to 383.190, inclusive, to be transferred to chapter 233A of NRS.

Sec. 20. 1. This section becomes effective upon passage and approval.

2. Sections 1 to 19, inclusive, of this act become effective:

(a) Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

(b) On July 1, 2027, for all other purposes.

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