

Illinois Laws on Historic Preservation
HUMAN SKELETAL REMAINS PROTECTION ACT
(Illinois revised statutes 1989, ch. 127, pars. 2661 et seq.)
known as: Human Grave Protection Act)

This law makes it unlawful for anyone without a permit to knowingly disturb human skeletal remains or a grave marker (including mounds) within unregistered cemeteries over 100 years old. This applies to both private and public lands.

Penalties:

Failure to notify the coroner within 48 hours of discovery of any skeletal remains is a Class C misdemeanor.

Disturbance of a grave marker is a Class B misdemeanor (imprisonment for not more than 6 months and a fine not in excess of \$500).

Disturbance or sale of human skeletal remains in violation of this law is a Class A misdemeanor (imprisonment for not more than one year and a fine not in excess of \$10,000); civil damages can also be imposed for restoration of any damage and confiscation of any equipment used in the crime.

ILLINOIS STATE AGENCY HISTORIC RESOURCES PRESERVATION ACT
(Illinois revised statutes 1989, ch. 127, pars. 2661 et seq.)
(known as: State 707)

This law requires that all state agencies take into account the effect of their projects on historic resources. Anytime a state agency funds a project (e.g., bike path grant from DOC or tourism grant from DCCA) or has an activity on property managed by that agency (e.g., new state park campground or correctional facility construction) that activity has to be reviewed. Projects permitted by the state are reviewed to determine if they are within a high probability area for archaeology or if known sites are in the area. If so, an archaeological investigation is required.

ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES PROTECTION ACT
(Illinois revised statutes 1989, ch. 127, par. 133c01 et seq.)
(known as: APRPA)

This law protects archaeological and paleontological sites on public property (local, municipal, township, county, state). A permit must be obtained from the IHPA to conduct archaeological investigations on public lands unless already covered under the National Historic Preservation Act or the Illinois State Agency Historic Resources Preservation Act.

Penalties are Class A misdemeanors. A violation involving disturbance of human skeletal remains is a Class 4 felony. Civil damages can also be imposed.