

DIVISION OF STATE HISTORY AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the duties of the Division of State History.

Highlighted Provisions:

This bill:

► provides that the Division of State History may provide matching grants to help maintain, repair, and landscape cemeteries, grave sites, and tombstones.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

9-8-203, as last amended by Laws of Utah 2017, Chapter 48

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **9-8-203** is amended to read:

9-8-203. Division duties.

(1) The division shall:

(a) stimulate research, study, and activity in the field of Utah history and related history;



- 28 (b) maintain a specialized history library;
- 29 (c) mark and preserve historic sites, areas, and remains;
- 30 (d) collect, preserve, and administer historical records relating to the history of Utah;
- 31 (e) administer, collect, preserve, document, interpret, develop, and exhibit historical
- 32 artifacts, documentary materials, and other objects relating to the history of Utah for
- 33 educational and cultural purposes;
- 34 (f) edit and publish historical records;
- 35 (g) cooperate with local, state, and federal agencies and schools and museums to
- 36 provide coordinated and organized activities for the collection, documentation, preservation,
- 37 interpretation, and exhibition of historical artifacts related to the state;
- 38 (h) promote, coordinate, and administer:
- 39 (i) Utah History Day at the Capitol designated under Section [63G-1-401](#); and
- 40 (ii) the Utah History Day program affiliated with National History Day, which includes
- 41 a series of regional, state, and national activities and competitions for students from grades 4
- 42 through 12;
- 43 (i) provide grants and technical assistance as necessary and appropriate; and
- 44 (j) comply with the procedures and requirements of Title 63G, Chapter 4,
- 45 Administrative Procedures Act, in adjudicative proceedings.
- 46 (2) The division may acquire or produce reproductions of historical artifacts and
- 47 documentary materials for educational and cultural use.
- 48 (3) To promote an appreciation of Utah history and to increase heritage tourism in the
- 49 state, the division shall:
- 50 (a) (i) create and maintain an inventory of all historic markers and monuments that are
- 51 accessible to the public throughout the state;
- 52 (ii) enter into cooperative agreements with other groups and organizations to collect
- 53 and maintain the information needed for the inventory;
- 54 (iii) encourage the use of volunteers to help collect the information and to maintain the
- 55 inventory;
- 56 (iv) publicize the information in the inventory in a variety of forms and media,
- 57 especially to encourage Utah citizens and tourists to visit the markers and monuments;
- 58 (v) work with public and private landowners, heritage organizations, and volunteer

- 59 groups to help maintain, repair, and landscape around the markers and monuments; and
- 60 (vi) make the inventory available upon request to all other public and private history
- 61 and heritage organizations, tourism organizations and businesses, and others;
- 62 (b) (i) create and maintain an inventory of all active and inactive cemeteries throughout
- 63 the state;
- 64 (ii) enter into cooperative agreements with local governments and other groups and
- 65 organizations to collect and maintain the information needed for the inventory;
- 66 (iii) encourage the use of volunteers to help collect the information and to maintain the
- 67 inventory;
- 68 (iv) encourage cemetery owners to create and maintain geographic information systems
- 69 to record burial sites and encourage volunteers to do so for inactive and small historic
- 70 cemeteries;
- 71 (v) publicize the information in the inventory in a variety of forms and media,
- 72 especially to encourage Utah citizens to participate in the care and upkeep of historic
- 73 cemeteries;
- 74 (vi) work with public and private cemeteries, heritage organizations, genealogical
- 75 groups, and volunteer groups to help maintain, repair, and landscape cemeteries, grave sites,
- 76 and tombstones; and
- 77 (vii) make the inventory available upon request to all other public and private history
- 78 and heritage organizations, tourism organizations and businesses, and others; and
- 79 (c) (i) create and maintain a computerized record of cemeteries and burial locations in a
- 80 state-coordinated and publicly accessible information system;
- 81 (ii) gather information for the information system created and maintained under
- 82 Subsection (3)(c)(i) and help maintain, repair, and landscape cemeteries, grave sites, and
- 83 tombstones as described in Subsection (3)(b)(vi) by providing matching grants, upon approval
- 84 by the board, to:
- 85 (A) municipal cemeteries;
- 86 (B) cemetery maintenance districts;
- 87 (C) endowment care cemeteries;
- 88 (D) private nonprofit cemeteries;
- 89 (E) genealogical associations; and

90 (F) other nonprofit groups with an interest in cemeteries; and
91 (iii) adopt rules, in accordance with Title 63G, Chapter 3, Utah Administrative
92 Rulemaking Act, for granting matching funds under Subsection (3)(c)(ii) to ensure that:
93 (A) professional standards are met; and
94 (B) projects are cost effective.
95 (4) This chapter may not be construed to authorize the division to acquire by purchase
96 any historical artifacts, documentary materials, or specimens that are restricted from sale by
97 federal law or the laws of any state, territory, or foreign nation.

Legislative Review Note
Office of Legislative Research and General Counsel