Ohio Indian Burial Laws

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OHIO

Citation: Historic Society (Pageâ€™s Ohio Revised Code, Title 1, Â§149, et seq.); Burials (Pageâ€™s Ohio Revised Code, Title 1, Â§2927, et seq.).

Date Enacted: 1969, most recently amended in 1996

Summary: The majority of Ohioâ€™s historic and archaeological provisions are found in the statute establishing the State Historical Society. In Â§2927, Burials, provisions are outlined prohibiting desecration of any historic or commemorative marker or any structure, Indian mound, or earthwork, thing or site of great historical or archaeological interest. It is also illegal to disturb any object of reverence or sacred devotion. Violation of these provisions is a second degree misdemeanor. The Ohio Historic Preservation Advisory Board must include two Native Americans. The Board assists the Historical Society in carrying out the stateâ€™s preservation program. The state does not have specific steps to follow for inadvertent discovery of human remains.

Jurisdiction: Burials on state lands.
Statute of Limitations: Not specified.
Areas Covered Under Act: Human burials and associated "sacred objects".
Review/Consultation Committee: Native Americans must be represented on the Historic Preservation Advisory Board.
Liable: Anyone who violates the law by desecrating a burial or commemorative structure.
Penalties: Violations are a is guilty of a 2 nd Degree misdemeanor.
Exemptions: Not specified.
Permitting: Excavation permits issued through the State Historical Society.