

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Committee Bill No. 8, Page 2, Section 340.285,
2 Line 19, by inserting immediately after said section and line the following:

3
4 "407.315. 1. As used in this section, the following terms mean:

5 (1) "American Indian tribe", any Indian tribe federally recognized by the Bureau of Indian
6 Affairs of the United States Department of the Interior;

7 (2) "American Indian", a person who is a citizen or enrolled member of an American Indian
8 tribe;

9 (3) "Imitation American Indian art or craft", any basic article purporting to be of American
10 Indian style, make, origin, or design that was not made by American Indian labor and workmanship;

11 (4) "Authentic American Indian art or craft", any article of American Indian style, make,
12 origin, or design that was made wholly or in part by American Indian labor and workmanship
13 including, but not limited to, any Kachina doll, rosette, necklace, choker, barrette, hair tie,
14 medallion, pin, pendant, bolo tie, belt, belt buckle, cuff links, tie clasp, tie bar, ring, earring, purse,
15 blanket, shawl, moccasin, drum, or pottery or any visual or performing arts or literature;

16 (5) "Merchant", any person engaged in the sale to the public of imitation American Indian
17 art or craft or authentic American Indian art or craft.

18 2. No merchant shall distribute, trade, sell, or offer for sale or trade within this state any
19 article represented as being made by American Indians unless the article is an authentic American
20 Indian art or craft. All such articles purporting to be of silver shall be made of coin or sterling
21 silver.

22 3. Any merchant who knowingly and willfully tags or labels any article as being an
23 American Indian art or craft when it does not meet the specifications of this section shall be subject
24 to a fine of not less than twenty-five dollars and not more than two hundred dollars, to
25 imprisonment for not less than thirty days and not more than ninety days, or to both such fine and
26 imprisonment."; and

27
28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.

Action Taken _____ Date _____