**Section 4190.202 Criminal Penalties**

a) Class A Misdemeanor – Violations. Any violation of Section 3 of the Act not involving the disturbance of human skeletal remains is a Class A misdemeanor. A violator is subject to imprisonment for not more than one year and a fine not in excess of $5,000. Any subsequent violation is a Class 4 felony. Each disturbance that takes place at an archaeological or paleontological site constitutes a separate offense. (See Section 5 of the Act.)

b) Class 4 Felony – Violations. Any violation of Section 3 of the Act which involves the disturbance of human skeletal remains is a Class 4 felony and the violator shall be subject to imprisonment and a fine. Each disturbance of an unregistered grave, a grave marker or grave artifacts constitutes a separate offense. (See Section 5 of the Act.)