

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 302304 | 16 U.S.C. 470a(b)(4). | Pub. L. 89-665, title I, §101(b)(4), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2991. |
| | 16 U.S.C. 470a(b)(6). | Pub. L. 89-665, title I, §101(b)(6), as added Pub. L. 102-575, title XL, §4004(4), Oct. 30, 1992, 106 Stat. 4754. |

CHAPTER 3025—CERTIFICATION OF LOCAL GOVERNMENTS

Sec.

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§ 302501. Definitions

In this chapter:

(1) DESIGNATION.—The term “designation” means the identification and registration of property for protection that meets criteria established by a State or locality for significant historic property within the jurisdiction of a local government.

(2) PROTECTION.—The term “protection” means protection by means of a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic property designated pursuant to this chapter.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3197.)

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| 302501 | 16 U.S.C. 470a(c)(4). | Pub. L. 89-665, title I, §101(c)(4), as added Pub. L. 102-575, title XL, §4005, Oct. 30, 1992, 106 Stat. 4755. |

§ 302502. Certification as part of State program

Any State program approved under this subdivision shall provide a mechanism for the certification by the State Historic Preservation Officer of local governments to carry out the purposes of this division and provide for the transfer, in accordance with section 302902(c)(4) of this title, of a portion of the grants received by the States under this division, to those local governments.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3197.)

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| 302502 | 16 U.S.C. 470a(c)(1) (1st sentence). | Pub. L. 89-665, title I, §101(c)(1) (1st sentence), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2991. |

§ 302503. Requirements for certification

(a) APPROVED STATE PROGRAM.—Any local government shall be certified to participate under this section if the applicable State Historic Preservation Officer, and the Secretary, certify that the local government—

(1) enforces appropriate State or local legislation for the designation and protection of historic property;

(2) has established an adequate and qualified historic preservation review commission by State or local legislation;

(3) maintains a system for the survey and inventory of historic property that furthers the purposes of chapter 3023;

(4) provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register; and

(5) satisfactorily performs the responsibilities delegated to it under this division.

(b) NO APPROVED STATE PROGRAM.—Where there is no State program approved under sections 302301 and 302302 of this title, a local government may be certified by the Secretary if the Secretary determines that the local government meets the requirements of subsection (a). The Secretary may make grants to the local government certified under this subsection for purposes of this subdivision.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3197.)

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| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
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| 302503 | 16 U.S.C. 470a(c)(1) (2d, last sentences). | Pub. L. 89-665, title I, §101(c)(1) (2d, last sentences), Oct. 15, 1966, 80 Stat. 915; Pub. L. 91-383, §11, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1942; Pub. L. 93-54, §1(d), July 1, 1973, 87 Stat. 139; Pub. L. 96-205, title VI, §608(a)(1), (2), Mar. 12, 1980, 94 Stat. 92; Pub. L. 96-515, title II, §201(a), Dec. 12, 1980, 94 Stat. 2991. |

In subsection (b), the words “State program approved under section 302302 of this title” are substituted for “approved State program” for clarity.

§ 302504. Participation of certified local governments in National Register nominations

(a) NOTICE.—Before a property within the jurisdiction of a certified local government may be considered by a State to be nominated to the Secretary for inclusion on the National Reg-