

SENATE COMMITTEE OF REFERENCE REPORT

	March 17, 2025
Chair of Committee	Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB25-061 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

- 1 Amend printed bill, page 2, line 11, strike "ITS MEMBERS," and substitute
- 2 "ITS OFFICIALS AND EMPLOYEES ACTING IN THEIR OFFICIAL CAPACITIES,".
- 3 Page 2, line 12, strike "INDIANS CONDUCTING ACTIVITIES" and substitute
- 4 "TRIBAL LANDS".
- 5 Page 3, strike lines 8 through 10 and substitute "INTERPRETATION AND
- 6 APPLICATION OF LAWS TO THE TRIBE, ITS OFFICIALS AND EMPLOYEES
- 7 ACTING IN THEIR OFFICIAL CAPACITIES, TRIBALLY CONTROLLED ENTITIES,
- 8 AND TRIBAL LANDS WITHIN THE RESERVATION.".
- 9 Page 3, strike lines 13 through 17.
- 10 Renumber succeeding subsections accordingly.
- 11 Page 3, after line 25 insert:
- 12 "(4) "TRIBAL LANDS" MEANS LANDS OWNED IN FEE SIMPLE BY THE
- 13 TRIBE OR A TRIBALLY CONTROLLED ENTITY, AND TRUST LANDS,
- 14 INCLUDING LAND ASSIGNMENTS AND ALLOTMENTS WITHIN THE EXTERIOR
- 15 BOUNDARIES OF THE RESERVATION.".
- 16 Renumber succeeding subsections accordingly.
- 17 Page 4, strike lines 4 through 24 and substitute:
- 18 **"2-4-503. Rules of construction. (1) IF THE GENERAL ASSEMBLY**

1 ENACTS A NEW LAW OR MATERIALLY AMENDS AN EXISTING LAW THAT IS
2 SILENT AS TO ITS APPLICATION TO THE TRIBE OR TO TRIBALLY
3 CONTROLLED ENTITIES; PURPORTS TO APPLY STATEWIDE; OR GRANTS A
4 GOVERNMENTAL AGENCY OR ENTITY CIVIL, CRIMINAL OR REGULATORY
5 AUTHORITY, IT IS PRESUMED THAT THE LAW DOES NOT APPLY WITHIN THE
6 EXTERIOR BOUNDARIES OF THE RESERVATION TO THE TRIBE, ITS OFFICIALS
7 AND EMPLOYEES ACTING IN THEIR OFFICIAL CAPACITY, A TRIBALLY
8 CONTROLLED ENTITY, OR TO TRIBAL LANDS.

9 (2) NOTHING IN THIS PART 5 INTENDS TO MODIFY FEDERAL LAW,
10 INCLUDING, BUT NOT LIMITED TO, PUB.L. 98-290, 98 STAT. 201 AND THE
11 RULES PUB.L. 98-290, 98 STAT. 201 ESTABLISHED FOR JURISDICTION
12 WITHIN THE RESERVATION BOUNDARIES.

13 (3) NOTHING IN THIS PART 5 IS INTENDED TO APPLY OUTSIDE OF
14 THE RESERVATION BOUNDARIES.

15 (4) THE CIVIL AND CRIMINAL LAWS OF THE STATE ARE PRESUMED
16 TO APPLY WITHIN A MUNICIPALITY TO INDIANS AND PERSONS OTHER THAN
17 INDIANS AS SET FORTH IN PUB.L. 98-290, 98 STAT. 201; EXCEPT THAT
18 NOTHING IN THIS PART 5 LIMITS THE CONCURRENT JURISDICTION OF THE
19 TRIBE OVER THE CONDUCT OF INDIANS WITHIN A MUNICIPALITY."

20 Page 4, strike lines 26 and 27.

21 Page 5, strike lines 1 through 14 and substitute:

22 "(1) NOTHING IN THIS PART 5 PREVENTS THE TRIBE FROM REQUESTING
23 INCLUSION IN LEGISLATION PENDING BEFORE THE GENERAL ASSEMBLY.

24 (2) THE GOVERNOR AND STATE AGENCIES, IN EXERCISING THE
25 POWERS OF THE".

26 Page 5, line 24, strike "TRIBE OR THE RESERVATION." and substitute
27 "TRIBE."

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