

104TH CONGRESS
2D SESSION

H. R. 3289

To grant jurisdiction to the States over new gambling activities conducted on Indian lands.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 1996

Mr. BROWDER introduced the following bill; which was referred to the Committee on Resources

A BILL

To grant jurisdiction to the States over new gambling activities conducted on Indian lands.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GRANT OF JURISDICTION TO STATES OVER**
4 **NEW GAMBLING ACTIVITIES CONDUCTED ON**
5 **INDIAN LANDS.**

6 The Indian Gaming Regulatory Act (25 U.S.C. 2701
7 et seq.) is amended by adding at the end the following:

8 “APPLICATION OF ACT; STATE JURISDICTION

9 “SEC. 25. (a) All class I, II, and III gaming activities
10 that are subject to this Act as of the date of enactment

1 of this section and that are conducted on Indian lands
2 shall continue to be subject to this Act (other than sub-
3 section (b) of this section) after such date. Any expansion
4 of such existing class I or II gaming activities after such
5 date shall likewise be subject to this Act.

6 “(b)(1) Except as provided by subsection (a), each
7 of the States shall have jurisdiction over all class I, II,
8 and III gaming conducted on Indian lands after the date
9 of the enactment of this section to the same extent that
10 such State has jurisdiction over gambling elsewhere within
11 the State. The laws of the State relating to gambling shall
12 have the same force and effect within such Indian lands
13 as they have elsewhere within the State.

14 “(2) Except with respect to proceeds directly related
15 to class I, II, and III gaming conducted on Indian lands
16 pursuant to paragraph (1), nothing in this subsection shall
17 be construed to authorize the alienation, encumbrance, or
18 taxation of any real or personal property, including water
19 rights, belonging to any Indian or any Indian tribe that
20 is held in trust by the United States or is subject to a
21 restriction against alienation imposed by the United
22 States.

23 “(3) An Indian tribe may not use sovereign immunity
24 as a defense to any action brought by a State as a result

1 of this subsection to enforce the laws and regulations of
2 the State relating to gambling.”.

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