

AB-1377 Tribal gaming: gaming establishments.(2017-2018)

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Bill Start

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

ASSEMBLY BILL

No. 1377

Introduced by Assembly Member Levine

February 17, 2017

An act to add Section 12012.97 to the Government Code, relating to tribal gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 1377, as introduced, Levine. Tribal gaming: gaming establishments.

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-state gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within a state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments to tribal-state gaming compacts, between the State of California and specified Indian tribes. The federal Indian Gaming Regulatory Act generally prohibits gaming from being conducted on lands acquired by the United States Secretary of the Interior in trust for the benefit of an Indian tribe after October 17, 1988, except when the Secretary, in consultation with the Indian tribe and appropriate state and local officials, determines that a gaming establishment on newly acquired lands would be in the best interests of the Indian tribe and its members and would not

be detrimental to the surrounding community, but only if the Governor of the state in which the gaming activity is to be conducted concurs in the Secretary's determination.

This bill would require the Governor, if the Secretary makes a determination that a gaming establishment on newly acquired lands would be in the best interests of the Indian tribe and its members and would not be detrimental to the surrounding community, to notify the Legislature of the Secretary's determination, and would prohibit the Governor from concurring in that determination without the prior approval, by concurrent resolution, of the Legislature.

Digest Key

Vote: MAJORITY Appropriation: NO Fiscal Committee: NO Local Program: NO

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 12012.97 is added to the Government Code, to read:

12012.97.

If the United States Secretary of the Interior determines that a gaming establishment on newly acquired lands would be in the best interests of an Indian tribe and its members and would not be detrimental to the surrounding community pursuant to Section 20(b)(1)(A) of the federal Indian Gaming Regulatory Act (25 U.S.C. Sec. 2719(b)(1)(A)), the Governor shall notify the Legislature of the Secretary's determination. The Governor shall not concur in that determination without the prior approval, by concurrent resolution, of the Legislature.