

1 **SENATE FLOOR VERSION**

2 February 27, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 613

5 By: Marlatt

6 **[State-Gaming Act - model tribal gaming compact -**
7 **authorized instrument - effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 3A O.S. 2011, Section 280, is
11 amended to read as follows:

12 Section 280. The State of Oklahoma through the concurrence of
13 the Governor after considering the executive prerogatives of that
14 office and the power to negotiate the terms of a compact between the
15 state and a tribe, and by means of the execution of the State-Tribal
16 Gaming Act, and with the concurrence of the State Legislature
17 through the enactment of the State-Tribal Gaming Act, hereby makes
18 the following offer of a model tribal gaming compact regarding
19 gaming to all federally recognized Indian tribes as identified in
20 the Federal Register within this state that own or are the
21 beneficial owners of Indian lands as defined by the Indian Gaming
22 Regulatory Act, 25 U.S.C., Section 2703(4), and over which the tribe
23 has jurisdiction as recognized by the Secretary of the Interior and
24 is a part of the tribe's "Indian reservation" as defined in 25

1 C.F.R., Part 151.2 or has been acquired pursuant to 25 C.F.R., Part
2 151, which, if accepted, shall constitute a gaming compact between
3 this state and the accepting tribe for purposes of the Indian Gaming
4 Regulatory Act. Acceptance of the offer contained in this section
5 shall be through the signature of the chief executive officer of the
6 tribal government whose authority to enter into the compact shall be
7 set forth in an accompanying law ~~or~~, ordinance, charter provision,
8 if applicable or resolution by the governing body of the tribe, a
9 copy of which shall be provided by the tribe to the Governor. No
10 further action by the Governor or the state is required before the
11 Compact can take effect. A tribe accepting this Model Tribal Gaming
12 Compact is responsible for submitting a copy of the Compact executed
13 by the tribe to the Secretary of the Interior for approval and
14 publication in the Federal Register. The tribe shall provide a copy
15 of the executed Compact to the Governor. No tribe shall be required
16 to agree to terms different than the terms set forth in the Model
17 Tribal Gaming Compact, which is set forth in Section 281 of this
18 title. As a precondition to execution of the Model Tribal Gaming
19 Compact by any tribe, the tribe must have paid or entered into a
20 written agreement for payment of any fines assessed prior to the
21 effective date of the State-Tribal Gaming Act by the federal
22 government with respect to the tribe's gaming activities pursuant to
23 the Indian Gaming Regulatory Act.

24

1 Notwithstanding the provisions of Sections 941 through 988 of
2 Title 21 of the Oklahoma Statutes, the conducting of and the
3 participation in any game authorized by the model compact set forth
4 in Section 281 of this title are lawful when played pursuant to a
5 compact which has become effective.

6 Prior to July 1, 2008, twelve percent (12%) of all fees received
7 by the state pursuant to subsection A of Part 11 of the Model Tribal
8 Gaming Compact set forth in Section 281 of this title shall be
9 deposited in the Oklahoma Higher Learning Access Trust Fund, and
10 eighty-eight percent (88%) of such fees shall be deposited in the
11 Education Reform Revolving Fund. On or after July 1, 2008, twelve
12 percent (12%) of all fees received by the state pursuant to
13 subsection A of Part 11 of the Model Tribal Gaming Compact set forth
14 in Section 281 of this title shall be deposited in the General
15 Revenue Fund and eighty-eight percent (88%) of such fees shall be
16 deposited in the Education Reform Revolving Fund. Provided, the
17 first Twenty Thousand Eight Hundred Thirty-three Dollars and thirty-
18 three cents (\$20,833.33) of all fees received each month by the
19 state pursuant to subsection A of Part 11 of the Model Tribal Gaming
20 Compact set forth in Section 281 of this title shall be transferred
21 to the Department of Mental Health and Substance Abuse Services for
22 the treatment of compulsive gambling disorder and educational
23 programs related to such disorder.

24 SECTION 2. This act shall become effective November 1, 2017.

1 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
February 27, 2017 - DO PASS AS AMENDED

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