

The House Committee on Judiciary offers the following substitute to SB 62:

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 2 of Chapter 2 of Title 50 of the Official Code of Georgia Annotated,
2 relating to sovereignty and jurisdiction of the state, so as to make legislative findings and
3 statement of intent; to provide that the Governor shall not enter into any compact or
4 agreement regarding the designation of Indian trust land or the conduct of gaming on Indian
5 trust land without the approval of the General Assembly; to provide that the General
6 Assembly shall be the voice of the citizens of this state in providing comments on such
7 actions; to provide for related matters; to provide an effective date; to repeal conflicting laws;
8 and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

SECTION 1.

11 The General Assembly makes the following findings:
12 (1) The federal Indian Gaming Regulatory Act, P.L. 100-497, 25 U.S.C. Section 2701,
13 et seq., permits gaming on Indian land and Indian trust land purchased prior to
14 October 17, 1988, and gaming may be permitted on Indian trust land purchased after
15 October 17, 1988, under certain conditions, which include:
16 (A) Consideration of comments of state and local officials as to the impact of a
17 proposed casino on the surrounding community; and
18 (B) The Governor's approval of such property being designated as "Indian trust land";
19 and
20 (2) It is the intent of the General Assembly to provide for a fair and adequate
21 consideration of the interests of the citizens of this state on matters pertaining to the
22 designation of lands as Indian trust land within the borders of this state. The purpose of
23 this Act is to maintain the control of the citizens of this state over the terms of a valid
24 compact with a sovereign tribal nation.

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SECTION 2.

26 Article 2 of Chapter 2 of Title 50 of the Official Code of Georgia Annotated, relating to
27 sovereignty and jurisdiction of the state, is amended by adding a new Code section to read
28 as follows:

29 "50-2-29.

30 (a) The General Assembly has the unique authority to enter into compacts and agreements
31 with other states and nations or with the United States government regarding the
32 designation of Indian trust land and the conduct of gaming in this state. The Governor shall
33 not enter into any compact or agreement regarding the designation of Indian trust land or
34 the conduct of gaming on Indian trust land without the adoption of a resolution of the
35 General Assembly consenting to such action. Any such action by the Governor without
36 the approval of the General Assembly shall be void ab initio.

37 (b) The General Assembly shall be the voice of the citizens of this state in providing
38 comments on the feasibility or desirability of the designation of Indian trust land or the
39 conduct of gaming on Indian trust land in this state. Such sentiment shall be expressed
40 only in a resolution of the General Assembly."

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SECTION 3.

42 This Act shall become effective upon its approval by the Governor or upon its becoming law
43 without such approval.

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SECTION 4.

45 All laws and parts of laws in conflict with this Act are repealed.