

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 3369

By: Echols

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5
6 AS INTRODUCED

7 An Act relating to child support; amending 74 O.S.
8 2011, Section 1221, as last amended by Section 2,
9 Chapter 299, O.S.L. 2012 (74 O.S. Supp. 2013, Section
10 1221), which relates to agreements between the state
11 and Indian tribes; directing agreements to require
12 tribe collect delinquent child support debt from
13 winnings at tribal gaming facility; and providing an
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 74 O.S. 2011, Section 1221, as
17 last amended by Section 2, Chapter 299, O.S.L. 2012 (74 O.S. Supp.
18 2013, Section 1221), is amended to read as follows:

19 Section 1221. A. The State of Oklahoma acknowledges federal
20 recognition of Indian tribes recognized by the Department of
21 Interior, Bureau of Indian Affairs.

22 B. The State of Oklahoma recognizes the unique status of Indian
23 tribes within the federal government and shall work in a spirit of
24 cooperation with all federally recognized Indian tribes in

1 furtherance of federal policy for the benefit of both the State of
2 Oklahoma and tribal governments.

3 C. 1. The Governor is authorized to negotiate and enter into
4 cooperative agreements on behalf of this state with federally
5 recognized Indian tribal governments within this state to address
6 issues of mutual interest. The Governor may elect to name a
7 designee who shall have authority to negotiate and enter into
8 cooperative agreements on behalf of the state with federally
9 recognized Indian tribes as provided for in this section. Except as
10 otherwise provided by this subsection, such agreements shall become
11 effective upon approval by the Joint Committee on State-Tribal
12 Relations.

13 2. If the cooperative agreements specified and authorized by
14 paragraph 1 of this subsection involve trust responsibilities,
15 approval by the Secretary of the Interior or designee shall be
16 required.

17 3. Any cooperative agreement specified and authorized by
18 paragraph 1 of this subsection involving the surface water and/or
19 groundwater resources of this state or which in whole or in part
20 apportions surface and/or groundwater ownership shall become
21 effective only upon the consent of the Oklahoma Legislature
22 authorizing such cooperative agreement.

23 4. Any cooperative agreement specified and authorized by
24 paragraph 1 of this subsection and executed after November 1, 2014,

1 shall include a provision requiring the federally recognized Indian
2 tribal government within this state to withhold the amount of
3 delinquent child support debt as established by the Department of
4 Human Services from the winnings at tribally operated gaming
5 facilities.

6 D. 1. The governing board of a political subdivision of this
7 state is authorized to negotiate and enter into intergovernmental
8 cooperative agreements in behalf of the political subdivision, with
9 a federally recognized Indian tribal government within this state to
10 address issues of mutual interest. Except as otherwise provided by
11 this subsection, such agreements shall be effective upon approval by
12 the Joint Committee on State-Tribal Relations and the Governor, or
13 the designee of the Governor.

14 2. Agreements for juvenile detention facilities made pursuant
15 to Section 2-3-103 of Title 10A of the Oklahoma Statutes shall
16 become effective upon approval by the board of county commissioners.

17 3. Any cooperative agreement specified and authorized by
18 paragraph 1 of this subsection involving the surface water and/or
19 groundwater resources of this state shall become effective only upon
20 the consent of the Oklahoma Legislature authorizing such cooperative
21 agreement.

22 4. Agreements between the Military Department of the State of
23 Oklahoma and an Indian tribe for the management or operation of a
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1 juvenile facility shall not be subject to the requirements of this
2 section.

3 5. Agreements between the Department of Transportation of the
4 State of Oklahoma and an Indian tribe or the Oklahoma Turnpike
5 Authority and an Indian tribe for the maintenance and construction
6 of transportation facilities, roads or bridges shall not be subject
7 to the requirements of this section.

8 E. An executed original of every agreement approved pursuant to
9 this section shall be filed with the Secretary of State. A copy of
10 every agreement shall be filed with the Office of Tribal Relations
11 within the Oklahoma Historical Society.

12 SECTION 2. This act shall become effective November 1, 2014.

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