

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 613

By: Marlatt

6 AS INTRODUCED

7 An Act relating to the State-Gaming Act; amending 3A
8 O.S. 2011, Section 280, which relates to offer of
9 model tribal gaming compact; modifying authorized
instrument for acceptance of offer; and providing an
effective date.

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

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

15 Section 280. The State of Oklahoma through the concurrence of
16 the Governor after considering the executive prerogatives of that
17 office and the power to negotiate the terms of a compact between the
18 state and a tribe, and by means of the execution of the State-Tribal
19 Gaming Act, and with the concurrence of the State Legislature
20 through the enactment of the State-Tribal Gaming Act, hereby makes
21 the following offer of a model tribal gaming compact regarding
22 gaming to all federally recognized Indian tribes as identified in
23 the Federal Register within this state that own or are the
24 beneficial owners of Indian lands as defined by the Indian Gaming

1 Regulatory Act, 25 U.S.C., Section 2703(4), and over which the tribe
2 has jurisdiction as recognized by the Secretary of the Interior and
3 is a part of the tribe's "Indian reservation" as defined in 25
4 C.F.R., Part 151.2 or has been acquired pursuant to 25 C.F.R., Part
5 151, which, if accepted, shall constitute a gaming compact between
6 this state and the accepting tribe for purposes of the Indian Gaming
7 Regulatory Act. Acceptance of the offer contained in this section
8 shall be through the signature of the chief executive officer of the
9 tribal government whose authority to enter into the compact shall be
10 set forth in an accompanying law ~~or~~, ordinance, charter provision,
11 if applicable or resolution by the governing body of the tribe, a
12 copy of which shall be provided by the tribe to the Governor. No
13 further action by the Governor or the state is required before the
14 Compact can take effect. A tribe accepting this Model Tribal Gaming
15 Compact is responsible for submitting a copy of the Compact executed
16 by the tribe to the Secretary of the Interior for approval and
17 publication in the Federal Register. The tribe shall provide a copy
18 of the executed Compact to the Governor. No tribe shall be required
19 to agree to terms different than the terms set forth in the Model
20 Tribal Gaming Compact, which is set forth in Section 281 of this
21 title. As a precondition to execution of the Model Tribal Gaming
22 Compact by any tribe, the tribe must have paid or entered into a
23 written agreement for payment of any fines assessed prior to the
24 effective date of the State-Tribal Gaming Act by the federal

1 government with respect to the tribe's gaming activities pursuant to
2 the Indian Gaming Regulatory Act.

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

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

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

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