

By Senator Garcia

39-1715-02

1 A bill to be entitled
2 An act relating to Indian reservations;
3 amending s. 285.16, F.S.; specifying that the
4 state's jurisdiction over criminal offenses
5 committed within Indian reservations does not
6 apply to Indian reservations of the Miccosukee
7 Tribe of Indians of Florida; providing an
8 exception for such reservations with respect to
9 the applicability of civil and criminal laws of
10 the state; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 285.16, Florida Statutes, is
15 amended to read:

16 285.16 Civil and criminal jurisdiction; Indian
17 reservation; exception.--

18 (1) The State of Florida hereby assumes jurisdiction
19 over criminal offenses committed by or against Indians or
20 other persons within Indian reservations and over civil causes
21 of actions between Indians or other persons or to which
22 Indians or other persons are parties arising within Indian
23 reservations.

24 (2) The civil and criminal laws of Florida shall
25 obtain on all Indian reservations in this state and shall be
26 enforced in the same manner as elsewhere throughout the state.

27 (3) Subsections (1) and (2) of this section do not
28 apply to Indian reservations of the Miccosukee Tribe of
29 Indians of Florida.

30 Section 2. This act shall take effect upon becoming a
31 law.

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SENATE SUMMARY

Provides that, within the reservations of the Miccosukee
Tribe of Indians of Florida, the state does not have
jurisdiction over criminal offenses and the civil and
criminal laws of the state are unenforceable.