

By the Committee on Criminal Justice; and Senator Garcia

307-2182-02

1 A bill to be entitled
2 An act relating to Indian reservations;
3 amending s. 285.16, F.S.; providing for
4 retrocession of jurisdiction; providing an
5 exception for reservations of the Miccosukee
6 Tribe of Indians of Florida with respect to the
7 applicability of civil and criminal laws of the
8 state to Indians within such reservations;
9 providing an effective date.

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

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

15 285.16 Civil and criminal jurisdiction; Indian
16 reservation; exception.--

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

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

26 (3) Upon consent of the Secretary of Interior to this
27 retrocession of jurisdiction, subsections (1) and (2) of this
28 section shall not apply to criminal charges filed against
29 Indian defendants or civil actions brought against Indians for
30 crimes or causes of action arising within the Indian
31 reservations of the Miccosukee Tribe of Indians of Florida.

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

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 Senate Bill 2248

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7 The Committee Substitute clarifies that the state's
8 jurisdiction over Indian defendants in criminal cases and
9 civil cases which arise on the reservations of the Miccosukee
10 Tribe of Indians of Florida is relinquished by the provisions
11 of the bill.

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