



HB 0269

2003
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CHAMBER ACTION

The Committee on Judiciary recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to civil and criminal jurisdiction over Indian reservations; amending s. 285.16, F.S.; exempting existing reservations of the Miccosukee Indian Tribe of Florida from a provision of law authorizing the State of Florida to take jurisdiction of civil and criminal matters on Indian reservations in the state; providing that the state shall retain jurisdiction over certain civil causes of action; expressly retaining jurisdiction over certain criminal offenses; providing an effective date.

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

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

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

(1) The State of Florida hereby assumes jurisdiction over criminal offenses committed by or against Indians or other



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29 persons within Indian reservations and over civil causes of
30 actions between Indians or other persons or to which Indians or
31 other persons are parties arising within Indian reservations.

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

35 (3) This section shall not apply to existing Indian
36 reservations of the Miccosukee Tribe of Indians of Florida,
37 except that the State of Florida shall retain jurisdiction over
38 civil causes of action which arise on said reservations and
39 which involve a non-Indian party. This civil cause of action
40 exception shall expire on July 1, 2005. The State of Florida
41 also expressly retains concurrent jurisdiction over criminal
42 offenses committed within these reservations when any victim of
43 the offense is a non-Indian.

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