

By Senator Smith

14-174A-03

1 A bill to be entitled
2 An act relating to Indian reservations;
3 amending s. 285.16, F.S.; providing for the
4 state to retrocede jurisdiction over capital
5 felonies, life felonies, and other criminal
6 offenses committed by an enrolled member of the
7 Miccosukee Tribe of Indians of Florida, or
8 person eligible for enrollment, which occur
9 within a reservation of that tribe; providing
10 that the retrocession of jurisdiction requires
11 consent of the United States Secretary of the
12 Interior; providing an effective date.

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

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

18 285.16 Civil and criminal jurisdiction; Indian
19 reservation; exception.--

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

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

29 (3) Upon the consent of the United States Secretary of
30 the Interior to this retrocession of jurisdiction, subsections
31 (1) and (2) of this section shall not apply to any capital

1 felony, life felony, or criminal offense committed by an
2 enrolled member of the Miccosukee Tribe of Indians of Florida,
3 or a person eligible for such enrollment, against the person
4 or property of another member or eligible person of that tribe
5 and which occurs within a reservation of the Miccosukee Tribe
6 of Indians of Florida.

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

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11 SENATE SUMMARY

12 Provides that, upon the consent of the United States
13 Secretary of the Interior, the state retrocedes its
14 jurisdiction over capital felonies, life felonies, and
15 other criminal offenses committed within a tribal
16 reservation by an enrolled member of the Miccosukee Tribe
17 of Indians of Florida, or person eligible for enrollment.
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