

By Senator Wilson

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1 A bill to be entitled

2 An act relating to reservations of the Miccosukee Tribe of
3 Indians of Florida; amending s. 285.16, F.S.; specifying
4 that the state's jurisdiction over criminal offenses
5 committed within Indian reservations and over civil causes
6 of action arising on reservations between Indians or other
7 persons or to which Indians or other persons are parties
8 does not apply to Indian reservations of the Miccosukee
9 Tribe of Indians of Florida; reenacting s. 285.061(3),
10 F.S., relating to transfer of land to United States in
11 trust for the Seminole and Miccosukee Indian Tribes, and
12 s. 285.18(2)(c), F.S., relating to tribal councils, to
13 incorporate the amendment to s. 285.16, F.S., in
14 references thereto; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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

20 285.16 Civil and criminal jurisdiction on Indian
21 reservations; exception reservation.--

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

28 (2) The civil and criminal laws of Florida shall obtain on
29 all Indian reservations in this state and shall be enforced in

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30 the same manner as elsewhere throughout the state.

31 (3) Subsections (1) and (2) do not apply to Indian
32 reservations of the Miccosukee Tribe of Indians of Florida.

33 Section 2. For the purpose of incorporating the amendment
34 made by this act to section 285.16, Florida Statutes, in a
35 reference thereto, subsection (3) of section 285.061, Florida
36 Statutes, is reenacted to read:

37 285.061 Transfer of land to United States in trust for
38 Seminole and Miccosukee Indian Tribes.--

39 (3) All the provisions of this chapter, not in conflict
40 with this section, remain in full force and effect. The state
41 reserves both civil and criminal jurisdiction over said
42 reservations in accordance with ss. 285.16 and 285.165 and
43 applicable federal law. The transfer of lands in trust for the
44 Miccosukee Tribe of Indians of Florida made pursuant to the
45 authority of this section remains subject to all of the rights,
46 easements, and reservations in favor of the South Florida Water
47 Management District provided in the transfer.

48 Section 3. For the purpose of incorporating the amendment
49 made by this act to section 285.16, Florida Statutes, in a
50 reference thereto, paragraph (c) of subsection (2) of section
51 285.18, Florida Statutes, is reenacted to read:

52 285.18 Tribal council as governing body; powers and
53 duties.--

54 (2) The governing bodies of the special improvement
55 districts shall have the duty and power:

56 (c) To employ personnel to exercise law enforcement powers,
57 including the investigation of violations of any of the criminal
58 laws of the state occurring on reservations over which the state

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59 has assumed jurisdiction pursuant to s. 285.16.

60 1. All law enforcement personnel employed shall be
61 considered peace officers for all purposes and shall have the
62 authority to bear arms, make arrests, and apply for, serve, and
63 execute search warrants, arrest warrants, capias, and other
64 process of the court, and to enforce criminal and noncriminal
65 traffic offenses, within their respective special improvement
66 districts.

67 2. All law enforcement personnel shall be entitled to the
68 privileges, protection, and benefits of ss. 112.19 and 870.05.

69 Section 4. This act shall take effect upon becoming a law.