

By Senator Osgood

32-00319-23

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1 A bill to be entitled
2 An act relating to state recognition of Indian tribes
3 and bands; creating s. 285.195, F.S.; providing for
4 state recognition of specified Indian tribes and
5 bands; authorizing Indian tribes and bands to petition
6 the Secretary of State for state recognition;
7 authorizing the Secretary of State to review such
8 petitions and make certain recommendations to the
9 Legislature by specified dates; requiring the
10 Secretary of State to consider certain factors when
11 making such recommendations; requiring the Secretary
12 of State to make the first recommendations pursuant to
13 the act by a specified date; providing an effective
14 date.

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

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18 Section 1. Section 285.195, Florida Statutes, is created to
19 read:

20 285.195 State recognition of Indian tribes and bands.-

21 (1) This state recognizes the following Indian tribes and
22 bands:

23 (a) The Seminole Tribe of Florida.

24 (b) The Miccosukee Tribe of Indians of Florida.

25 (c) The Santa Rosa Band of the Lower Muscogee.

26 (d) The Poarch Band of Creek Indians.

27 (2) (a) Any other Indian tribe or band may petition the
28 Secretary of State for state recognition. The Secretary of State
29 may review those petitions and make recommendations to the

32-00319-23

2023954__

30 Legislature concerning other Indian tribes or bands to be
31 recognized by the state no later than October 1 of each odd-
32 numbered year.

33 (b) The Secretary of State shall take into consideration
34 the actions of an Indian tribe or band to preserve the culture,
35 language, and history of the Indian tribe or band when deciding
36 whether to recommend state recognition. These actions may be
37 demonstrated by appropriate documentation, including, but not
38 limited to:

39 1. Anthropological, historical, or genealogical documents.

40 2. Documented traditions, customs, or legends.

41 3. Documentation of relationships with other Indian tribes
42 or bands recognized by a state or the Federal Government,
43 including communal interaction of spiritual, educational, and
44 social institutions.

45 (3) State recognition of an Indian tribe or band under this
46 section may not be construed to create any basis or authority
47 not otherwise provided by law for an Indian tribe or band to
48 establish or promote any form of otherwise prohibited gaming
49 activity or to claim any interest in land or real estate.

50 Section 2. The Secretary of State must make the first
51 recommendations under s. 285.195(2)(a), Florida Statutes, no
52 later than October 1, 2025.

53 Section 3. This act shall take effect July 1, 2023.