

118TH CONGRESS
1ST SESSION

H. R. 1552

To amend title 18, United States Code, to require affirmative consent from the governing body of certain Indian Tribes for jurisdiction to be conferred on the State of Kansas over offenses committed on the reservations of such Indian Tribes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2023

Mr. LATURNER (for himself, Mr. MANN, and Ms. DAVIDS of Kansas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to require affirmative consent from the governing body of certain Indian Tribes for jurisdiction to be conferred on the State of Kansas over offenses committed on the reservations of such Indian Tribes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kansas Indian Country
5 Law Enforcement Improvement Act of 2023”.

1 **SEC. 2. REPEAL OF ACT OF JUNE 8, 1940.**

2 The Act of June 8, 1940 (54 Stat. 249; ch. 276) is
3 repealed.

4 **SEC. 3. AMENDMENTS TO KANSAS JURISDICTION.**

5 (a) AMENDMENTS.—Section 3243 of title 18, United
6 States Code, is amended—

7 (1) by striking “Jurisdiction is conferred” and
8 inserting the following:

9 “(a) IN GENERAL.—Jurisdiction is conferred”; and

10 (2) by adding at the end the following:

11 “(b) EXCEPTION.—With respect to offenses com-
12 mitted on the reservation of a covered Indian Tribe, juris-
13 diction may only be conferred on the State of Kansas
14 under subsection (a) upon the affirmative consent of the
15 governing body of such covered Indian tribe, as reflected
16 by a certified official Tribal resolution or law filed with
17 the Attorney General which shall be effective upon publi-
18 cation in the Federal Register.

19 “(c) LAW ENFORCEMENT COOPERATIVE AGREE-
20 MENTS.—

21 “(1) Federal agencies and State and local gov-
22 ernments in Kansas may enter into cooperative
23 agreements or compacts with the governing bodies of
24 covered Indian Tribes for the purposes of improving
25 law enforcement effectiveness, reducing crime in In-
26 dian country and nearby communities, and devel-

1 oping successful cooperative relationships that effec-
2 tively combat crime in Indian country and nearby
3 communities.

4 “(2) Each cooperative agreement or compact
5 entered into pursuant to this subsection shall include
6 the following:

7 “(A) Authorization for the deputization of
8 law enforcement officers to enforce the laws of
9 one or more of the other governments party to
10 such cooperative agreement or compact.

11 “(B) Requirements for the reporting of
12 crimes occurring within Indian country covered
13 under such cooperative agreement or compact
14 to appropriate State, Federal, and Tribal law
15 enforcement entities.

16 “(C) If a covered Indian Tribe is party to
17 the cooperative agreement or compact, a de-
18 scription of—

19 “(i) the geographic limits within the
20 reservation of the covered Indian Tribe on
21 which the State may exercise criminal ju-
22 risdiction, if any; and

23 “(ii) the categories of criminal of-
24 fenses within the reservation of the covered

1 Indian Tribe over which the State may ex-
2 ercise jurisdiction, if any.

3 “(D) Other requirements under Federal
4 law.

5 “(3) The Attorney General shall, upon request
6 from the governing body of a covered Indian Tribe,
7 provide technical assistance in the development of
8 cooperative agreements or compacts under this sec-
9 tion.

10 “(d) COVERED INDIAN TRIBE DEFINED.—In this
11 section, the term ‘covered Indian Tribe’ means the fol-
12 lowing:

13 “(1) The Iowa Tribe of Kansas and Nebraska.

14 “(2) The Kickapoo Tribe of Indians of the
15 Kickapoo Reservation in Kansas.

16 “(3) The Prairie Band Potawatomi Nation.

17 “(4) The Sac & Fox Nation of Missouri in Kan-
18 sas and Nebraska.”.

19 (b) RULE OF CONSTRUCTION.—The amendments
20 made by this Act shall not apply retroactively to any indi-
21 vidual arrested, prosecuted, or convicted by the State of
22 Kansas prior to the effective date under subsection (c).

1 (c) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect on the date that is 90 days
3 after the date of the enactment of this Act.

○