

SENATE BILL NO. _____ HOUSE BILL NO. _____

ABILL to amend the Code of Virginia by adding in Subtitle II of Title 2.2 a part labeled D, containing a chapter numbered 61, consisting of sections numbered 2.2-6100 and 2.2-6101, relating to American Indians; Virginia recognized tribes; federally recognized tribes; sovereignty.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Subtitle II of Title 2.2 a part labeled D, containing a chapter numbered 61, consisting of sections numbered 2.2-6100 and 2.2-6101, as follows:

PART D.STATE AND TRIBAL RELATIONSCHAPTER 61.GENERAL PROVISIONS.§ 2.2-6100. Definitions.

As used in this chapter, unless the context requires a different meaning:

"American Indian" means a duly enrolled member or citizen of a federally recognized tribe or Virginia recognized tribe.

"Federally recognized tribe" means an American Indian tribe within the present-day external boundaries of the Commonwealth that is recognized by the United States Secretary of the Interior to exist as a tribe under the federal Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. § 5131).

"Virginia recognized tribe" means an American Indian tribe within the present-day external boundaries of the Commonwealth, regardless of federal recognition status, that is formally acknowledged by the Commonwealth to exist as a tribe as reported by the Secretary of the Commonwealth pursuant to § 2.2-401.01.

§ 2.2-6101. Sovereignty of Federally Recognized Tribes.

The Commonwealth hereby acknowledges the inherent sovereignty of federally recognized tribes within the present-day external boundaries of the Commonwealth. Nothing in this chapter alters or

26 diminishes the sovereignty of the Commonwealth or any federally recognized tribe in Virginia, or the
27 rights or obligations of parties under state, tribal, or federal law. The Commonwealth endeavors to
28 maintain positive government-to-government relationships with the federally recognized tribes within the
29 present-day external boundaries of the Commonwealth.

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