

H. B. 2121

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(By Delegates Howell, Householder, J. Nelson, Hamrick,
Statler, Walters, Border, Frich, Hamilton, A. Evans and McGeehan)

[Introduced January 20, 2015; referred to the

Committee on Government Organization then the Judiciary.]

10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
11 designated §2-4-1, §2-4-2 and §2-4-3, all relating to establishing a policy for formal
12 recognition of Indian tribes.

13 *Be it enacted by the Legislature of West Virginia:*

14 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
15 article, designated §2-4-1, §2-4-2 and §2-4-3, all to read as follows:

16 **ARTICLE 4. WEST VIRGINIA INDIAN TRIBES STATE RECOGNITION ACT.**

17 **§2-4-1. Title.**

18 The title of this article is known as the "West Virginia Indian Tribes Recognition Act."

19 **§2-4-2. Definitions.**

20 As used in this article "Indian tribe" or "tribe" means any Indian group that has been formally
21 recognized as an Indian tribe by the Secretary of the United States Department of the Interior,
22 pursuant to 25 C.F.R. §83.7, by the legislature of any other state or by the appropriate board which
23 has been given the power of tribal recognition of any other state.

1 **§2-4-3. Recognition of Indian tribes.**

2 (a) The State of West Virginia recognizes a group's status as an Indian tribe if that group has
3 been formally recognized as an Indian tribe by the Secretary of the United States Department of the
4 Interior, pursuant to 25 C.F.R. §83.7, by the legislature of any other state or by the appropriate board
5 which has been given the power of tribal recognition of any other state.

6 (b) The State of West Virginia does not acknowledge any group as an Indian tribe which has
7 not been recognized as an Indian tribe by the Secretary of the United States Department of the
8 Interior pursuant to 25 C.F.R. §83.7, by the legislature of any other state or by the appropriate board
9 which has been given the power of tribal recognition of any other state.

NOTE: The purpose of this bill is to establish the state's policy for formal recognition of Indian tribes.

This article is new; therefore, it has been completely underscored.