

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2121

2015 Carryover

(BY DELEGATES HOWELL, HOUSEHOLDER, J. NELSON,
HAMRICK, STATLER, WALTERS, BORDER, FRICH,
HAMILTON AND A. EVANS)

[Introduced January 13, 2016; referred to the
Committee on Government Organization then the
Judiciary.]

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

Be it enacted by the Legislature of West Virginia:

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

ARTICLE 4. WEST VIRGINIA INDIAN TRIBES STATE RECOGNITION ACT.

§2-4-1. Title.

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

§2-4-2. Definitions.

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

§2-4-3. Recognition of Indian tribes.

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

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