

(122nd General Assembly)  
(Substitute House Bill Number 98)

# AN ACT

To enact section 107.25 of the Revised Code to require legislative validation of a compact between the Governor and an Indian tribe authorizing gaming, or of a grant by the Governor of authority for an Indian tribe to place land in trust to be used for gaming, and to require that such a compact contain an expiration date.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 107.25 of the Revised Code be enacted to read as follows:

Sec. 107.25. (A) As used in this section:

(1) "Tribal-state compact" means a tribal-state compact described in the "Indian Gaming Regulatory Act," 102 stat. 2472 (1988), 25 U.S.C. 2710(d).  
(2) "Class I gaming," "class II gaming," "class III gaming," and "Indian tribe" have the same meanings as in the "Indian Gaming Regulatory Act," 102 Stat. 2472 (1988), 25 U.S.C. 2703.

(B) Neither of the following shall be ratified or take effect until the general assembly approves it by passage of an act:

(1) Each tribal-state compact the governor enters into with an Indian tribe;

(2) Each authorization the governor grants for an Indian tribe to place land into trust to be used for class I, class II, or class III gaming.

(C) Each tribal-state compact approved under this section shall contain an expiration date, which shall be not later than ten years after the compact's effective date.

(D) Each tribal-state compact approved under this section shall contain a binding agreement for the collection and payment of state and local sales, use, or other excise or APPLICABLE taxes, or for the payment of amounts that may be in lieu of such taxes, levied on any item sold to any nonmember of the governing tribe by any business establishment located on the land to be taken into trust.

SECTION 2. The intent of the General Assembly in enacting this act is to clarify the procedure by which certain tribal-state compacts described in the "Indian Gaming Regulatory Act," 102 Stat. 2472 (1988), 25 U.S.C. 2710(d), and sanctioned by federal law must be approved under Ohio law. This act shall be construed, to the maximum extent possible, as being consistent with the Ohio law regulating gaming and with Section 6 of Article XV, Ohio Constitution, and in no way shall this act be construed to permit gaming activities that otherwise are prohibited under Ohio law. This act in no way constitutes a waiver of any immunity of the state of Ohio or its agencies or officers.

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*Speaker \_\_\_\_\_ of the House of Representatives.*

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*President \_\_\_\_\_ of the Senate.*

Passed \_\_\_\_\_, 20\_\_\_\_

Approved \_\_\_\_\_, 20\_\_\_\_

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*Governor.*

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

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*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 20\_\_\_\_.

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*Secretary of State.*

File No. \_\_\_\_\_ Effective Date \_\_\_\_\_