

1 ENGROSSED SENATE
2 BILL NO. 26x

By: Thompson (Roger) and Hall
of the Senate

3 and

4 Wallace and Martinez of the
5 House

6
7 An Act relating to Tribal-State agreements; affirming
8 and offering supplemental compact term to preclude
9 the expiration or termination of any compact entered
10 pursuant to 68 O.S. Section 346 and in effect as of
11 January 1, 2023, until December 31, 2024, at the
12 earliest; enacting law to offer the restoration of
13 any compact entered into pursuant to 68 O.S. Section
14 346 and in effect as of January 1, 2019, but which
15 expired without renewal pursuant to its own terms
16 thereafter and to preclude the expiration or
17 termination thereof until December 31, 2024, at the
18 earliest; providing for codification; and providing
19 for severability.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 346.1 of Title 68, unless there
23 is created a duplication in numbering, reads as follows:

24 A. The Legislature finds that:

1. As codified in Section 1221 of Title 74 of the Oklahoma
Statutes, Oklahoma's standing policy is to work in a spirit of
cooperation with all federally recognized Indian tribes in
furtherance of federal policy for the benefit of both the State of
Oklahoma and Tribal governments;

1 restored, and any action to unilaterally terminate the compact
2 prior to that date shall be null and void.

3 C. Further and also consistent with such intent, the State of
4 Oklahoma offers the following restoration of and supplemental term
5 to any Tribe that is party to a State-Tribal tobacco products excise
6 tax compact entered pursuant to Section 346 of Title 68 of the
7 Oklahoma Statutes or otherwise and which was in effect as of January
8 1, 2019, but which expired prior to the effective date of this act:

9 RESTORATION OF AND SUPPLEMENTAL TERM TO
10 TOBACCO PRODUCTS EXCISE TAX COMPACT TERM

11 Between the [NAME OF TRIBE]
12 and the STATE OF OKLAHOMA

13 Notwithstanding its expiration prior to the effective date
14 of this act, the tobacco products excise tax compact between
15 the [NAME OF TRIBE] and the STATE OF OKLAHOMA in effect on
16 January 1, 2019, is hereby affirmed and restored to effect as
17 of July 1, 2023, and shall remain in effect until December 31,
18 2024, and any action to unilaterally terminate the compact
19 prior to that date shall be null and void.

20 D. Tribal acceptance of an offer codified in either subsection
21 B or C of this section shall be indicated by letter from the Tribal
22 party's governing body or official reciting the terms set forth
23 above and delivered to the Oklahoma Tax Commission. Such letter
24 shall then be filed with the Secretary of State.

