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HOUSE BILL 826

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Leo C. Watchman Jr.

AN ACT

RELATING TO INDIAN AFFAIRS; DEFINING INDIAN COUNTRY FOR
PURPOSES OF THE STATUTES; ENACTING A SECTION OF THE NMSA 1978;
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 12, Article 2 NMSA
1978 is enacted to read:

"[NEW MATERIAL] INDIAN COUNTRY--DEFINITION FOR PURPOSES
OF THE STATUTES.--When used in the statutes, "Indian country"
means:

A. all land within the limits of any reservation
of an Indian nation, tribe or pueblo under the jurisdiction of
the United States government, notwithstanding the issuance of
any patent and including rights of way running through the
reservation;

underscored material = new
[bracketed material] = delete

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B. all dependent Indian communities within the borders of New Mexico whether within the original or subsequently acquired territory;

C. all Indian allotments, the Indian titles to which have not been extinguished, including rights of way running through the allotments; and

D. any lands, title to which is either held by the United States in trust for the benefit of any Indian nation, tribe, pueblo or tribal member or is held by any Indian nation, tribe, pueblo or tribal member subject to a restriction by the United States against alienation."

Section 2. EMERGENCY.--It is necessary for the public peace, health and safety that this act take effect immediately.