

By: Gonzalez

H.B. No. 2497

A BILL TO BE ENTITLED

1 AN ACT

2 relating to state collaboration with federally recognized Indian  
3 tribes.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. This Act may be cited as the State-Tribal  
6 Collaboration Act.

7 SECTION 2. Subtitle E, Title 4, Government Code, is amended  
8 by adding Chapter 471 to read as follows:

9 CHAPTER 471. STATE COLLABORATION WITH INDIAN TRIBES

10 Sec. 471.001. DEFINITIONS. In this chapter:

11 (1) "American Indian" means an individual who is:

12 (A) a member of a federally recognized Indian  
13 tribe; or

14 (B) eligible for federal services and programs  
15 provided to American Indians, including services and programs  
16 provided by the United States Department of Health and Human  
17 Services and the Bureau of Indian Affairs.

18 (2) "Indian tribe" or "tribe" means a federally  
19 recognized tribe, band, pueblo, or community of American Indians  
20 having a reservation located in this state.

21 (3) "State agency" means an agency, department,  
22 office, or other entity in the executive, legislative, or judicial  
23 branch of state government and includes an institution of higher  
24 education, as defined by Section 61.003, Education Code.

1       Sec. 471.002. COLLABORATION WITH INDIAN TRIBES; AGENCY  
2 POLICY. (a) Each state agency shall collaborate with Indian  
3 tribes when developing and implementing agency policies,  
4 agreements, and programs that directly affect American Indians.

5       (b) Each state agency whose policies, agreements, and  
6 programs directly affect American Indians shall:

7           (1) promote effective communication and collaboration  
8 between the state agency and Indian tribes;

9           (2) promote positive intergovernmental relations  
10 between the state and Indian tribes; and

11           (3) promote cultural competency in effectively  
12 providing services to American Indians.

13       Sec. 471.003. ANNUAL SUMMIT. Not later than the last day  
14 of the third quarter of each state fiscal year, the governor and the  
15 leaders of Indian tribes shall meet in a state-tribal summit to  
16 address issues of mutual concern.

17       Sec. 471.004. RIGHT OF ACTION. Nothing in this chapter  
18 creates a right of action against a state agency or waives state or  
19 tribal immunity.

20       SECTION 3. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2011.