

Session 115 - (2003-2004)

S 1184 General Bill, By Matthews, Land, Hutto, Ravenel and Ford

Summary: Catawba Indian Tribe, gaming

A BILL TO AMEND SECTION 27-16-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONDUCT OF BINGO BY THE CATAWBA INDIAN TRIBE UNDER THE CATAWBA INDIAN CLAIMS SETTLEMENT ACT AND THE TERMS AND CONDITIONS RELATING THERETO, SO AS TO ALSO PERMIT THE TRIBE TO CONDUCT CLASS II ELECTRONIC BINGO GAMING AT A SINGLE TRIBAL FACILITY LOCATED IN ORANGEBURG COUNTY AND TO REPEAL ANY RIGHT OF THE CATAWBA INDIAN TRIBE TO OPERATE VIDEO POKER AND SIMILAR ELECTRONIC PLAY DEVICES; TO AMEND CHAPTER 16 OF TITLE 27, RELATING TO THE CATAWBA INDIAN CLAIMS SETTLEMENT ACT, BY ADDING SECTIONS 27-16-200 THROUGH 27-16-350 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THE CATAWBA INDIAN TRIBE MAY DEVELOP AND OPERATE A CLASS II ELECTRONIC BINGO FACILITY AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; BY ADDING SECTION 11-41-175 SO AS TO PROVIDE THAT THE CLASS II ELECTRONIC BINGO FACILITY OF THE CATAWBA INDIAN TRIBE AUTHORIZED ABOVE IS NOT ELIGIBLE FOR FUNDS UNDER THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT; BY ADDING SECTION 12-8-2050 SO AS TO PROVIDE THAT THE CATAWBA INDIAN TRIBE AND ITS ELECTRONIC BINGO FACILITY OPERATION SHALL COMPLY WITH ALL APPLICABLE REPORTING AND WITHHOLDING REQUIREMENTS OF THE INTERNAL REVENUE SERVICE AND THE SOUTH CAROLINA DEPARTMENT OF REVENUE; BY ADDING SECTION 12-10-115 SO AS TO PROVIDE THAT THE CLASS II ELECTRONIC BINGO FACILITY AUTHORIZED ABOVE IS NOT ELIGIBLE FOR THE JOBS TAX CREDIT UNDER THE ENTERPRISE ZONE ACT OF 1995; BY ADDING SECTION 12-21-4285 SO AS TO PROVIDE THAT NOTHING IN EXISTING BINGO REGULATORY PROVISIONS OF LAW MAY BE DEEMED TO AUTHORIZE THE STATE TO IMPOSE ANY TAX, FEE, CHARGE, OR ASSESSMENT UPON THE CATAWBA INDIAN TRIBE AND ITS GAMING OPERATION EXCEPT FOR CHARGES EXPRESSLY AUTHORIZED PURSUANT TO CHAPTER 16 OF TITLE 27; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THE ABOVE PROVISIONS INCLUDING A REQUIREMENT FOR RATIFYING FEDERAL LEGISLATION AND A REQUIREMENT THAT THE EXECUTIVE COMMITTEE OF THE TRIBE FILE A CERTIFICATION WITH THE SECRETARY OF STATE THAT THE TRIBE HAS VOTED TO WAIVE AND DISCLAIM ANY RIGHT TO OPERATE VIDEO POKER DEVICES OR TO BRING LAWSUITS AGAINST THE STATE OF SOUTH CAROLINA ON THIS BASIS.

04/21/04 Senate Introduced and read first time SJ-35

04/21/04 Senate Referred to Committee on Judiciary SJ-35