

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE DRH10051-LL-31 (2/1)**

Short Title: Recognize Tribal Governments. (Public)

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Sponsors: Representative Sutton.

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Referred to:

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1 A BILL TO BE ENTITLED  
2 AN ACT TO ACKNOWLEDGE THE TRIBAL GOVERNMENTS OF  
3 STATE-RECOGNIZED INDIAN TRIBES IN NORTH CAROLINA.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 71A of the General Statutes is amended by adding a  
6 new section to read:

7 **"§ 71A-9. Tribal governments.**

8 Each American Indian tribe designated and officially recognized by this Chapter is  
9 entitled to organize and function as a tribal governing body within the borders of this  
10 State and to provide governmental services and functions, similar to those provided by  
11 the State and units of local government, to tribal members and Indian communities. This  
12 authority includes the power to apply for and administer State and federal grants and  
13 other funding programs. In exercising this authority, each recognized tribe may:

- 14 (1) Determine its own form of government;  
15 (2) Elect a governing body;  
16 (3) Exercise full power and authority over its members with respect to  
17 tribal affairs;  
18 (4) Determine the criteria for tribal enrollment and the maintenance of a  
19 tribal roll; and  
20 (5) Oversee the reinterment of archaeological, funerary, or other Indian  
21 burial remains, pursuant to the provisions of Chapter 70 of the General  
22 Statutes.

23 Nothing in this section authorizes Indian tribes to act in a manner that is inconsistent  
24 with the laws of the State of North Carolina."

25 **SECTION 2.** Nothing in this act shall be construed to affect the rights of the  
26 federally recognized Eastern Band of Cherokee; this act applies only to those tribes  
27 recognized under Chapter 71A of the General Statutes.

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**SECTION 3.** This act is effective when it becomes law.