

# STATE OF NEW YORK

8834

## IN SENATE

January 8, 2026

Introduced by Sen. BASKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the Indian law, in relation to the entering of lands owned or occupied by any nation, tribe, or band of Indians by a person and law enforcement agreements with the Seneca Nation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 1, 5 and 6 of section 8 of the Indian law,  
2 subdivisions 1 and 5 as amended and subdivision 6 as added by a chapter  
3 of the laws of 2025 amending the Indian law relating to non-Indian tres-  
4 pass and drug trafficking activities within Indian lands, as proposed in  
5 legislative bills numbers S. 8127 and A. 8289, are amended to read as  
6 follows:

7 1. a. Except as otherwise provided by law, no person shall enter,  
8 remain, settle or reside, conduct a business, operate a junkyard, or  
9 establish or contribute to an automobile graveyard or dump of any kind,  
10 upon any lands owned or occupied by any nation, tribe or band of Indi-  
11 ans, except the citizens or members of such nation, tribe or band or  
12 their authorized guests or lessees.

13 b. For purposes of this subdivision, a person shall not be deemed to  
14 have entered the lands owned or occupied by any nation, tribe, or band  
15 of Indians if such person is temporarily and continuously passing  
16 through such lands on highways, roads, trails, or other thoroughfares.

17 5. If a person, conducting a business, engaging in drug trafficking,  
18 operating a junkyard, or having established or contributed to an automo-  
19 bile graveyard or dump, shall have been determined to be an intruder  
20 under this section, such judge may, in addition to any other penalty  
21 prescribed by this section, order the confiscation or removal of such  
22 business, drug trafficking materials or equipment, junkyard, automobile  
23 graveyard or dump within a reasonable time subject to the consent [~~of~~  
24 ~~the authority~~] of the affected nation, tribe or band.

25 6. [~~A~~] Except as set forth in paragraph b of subdivision one of this  
26 section, a determination or designation by the nation, tribe or band of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 a person as an intruder upon the lands of such nation, tribe or band  
2 shall be dispositive of the matter.

3 § 2. Section 79 of the Indian law, as added by a chapter of the laws  
4 of 2025 amending the Indian law relating to non-Indian trespass and drug  
5 trafficking activities within Indian lands, as proposed in legislative  
6 bills numbers S. 8127 and A. 8289, is amended to read as follows:

7 § 79. Law enforcement agreements. 1. Notwithstanding any other  
8 provision of law, at the request of the Seneca nation, [~~the governor,~~  
9 the superintendent of state police, a sheriff of a county that includes  
10 lands of the Seneca nation, or the chief of police of the city of Sala-  
11 manca, may enter into an agreement with the Seneca nation [~~governing the~~  
12 ~~terms and conditions of criminal law enforcement activities~~] detailing  
13 the activities that such law enforcement entity will undertake within  
14 the nation's federally-recognized Indian Country lands. These agree-  
15 ments shall not be construed to limit the powers, duties, and responsi-  
16 bilities to undertake activities on Indian lands, including lands of the  
17 Seneca nation, that have otherwise been conferred upon such law enforce-  
18 ment entities pursuant to law, rule, or regulation.

19 2. The agreements authorized in subdivision one of this section may  
20 include provisions [~~defining criminal offenses and penalties that shall~~  
21 ~~apply within the nation, deputization~~] related to the appointment of  
22 tribal members or nation employees as police officers pursuant to para-  
23 graphs (c) and (d) of subdivision thirty-four of section 1.20 of the  
24 criminal procedure law, extradition, and other related provisions that  
25 may be agreed upon by the parties. These agreements are not intended to  
26 and shall not be interpreted as adding, repealing, or otherwise amending  
27 any law, rule, or regulation.

28 [~~3. The courts of the state shall give full force and effect to the~~  
29 ~~provisions of any agreement authorized herein in any criminal proceeding~~  
30 ~~arising out of offenses committed within the lands of the Seneca~~  
31 ~~nation.~~]

32 § 3. This act shall take effect on the same date and in the same  
33 manner as a chapter of the laws of 2025 amending the Indian law relating  
34 to non-Indian trespass and drug trafficking activities within Indian  
35 lands, as proposed in legislative bills numbers S. 8127 and A. 8289,  
36 takes effect.