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:

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

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

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

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

6. [~~A~~] **Except as set forth in paragraph b of subdivision one of this 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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a person as an intruder upon the lands of such nation, tribe or band shall be dispositive of the matter.

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

§ 79. Law enforcement agreements. 1. Notwithstanding any other provision of law, at the request of the Seneca nation, [~~the governor,~~] the superintendent of state police, a sheriff of a county that includes lands of the Seneca nation, or the chief of police of the city of Salamanca, may enter into an agreement with the Seneca nation [~~governing the terms and conditions of criminal law enforcement activities~~] **detailing the activities that such law enforcement entity will undertake** within the nation's federally-recognized Indian Country lands. **These agreements shall not be construed to limit the powers, duties, and responsibilities to undertake activities on Indian lands, including lands of the Seneca nation, that have otherwise been conferred upon such law enforcement entities pursuant to law, rule, or regulation.**

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

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

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