

**Effective 5/8/2018**

**9-9-214 Law enforcement in presidential townsites.**

- (1) As used in this section:
  - (a) "Agents of the Bureau of Indian Affairs" means individuals the Bureau of Indian Affairs has empowered to enforce federal statutes in Indian land under 25 U.S.C. Sec. 2802 or 25 U.S.C. Sec. 2804.
  - (b) "Bureau of Indian Affairs" means the Bureau of Indian Affairs within the United States Department of the Interior.
  - (c) "Indian land" means land that qualifies as "Indian country" under 18 U.S.C. Sec. 1151.
  - (d) "Indian tribe" or "tribe" means an Indian tribe included in the list of federally recognized Indian tribes under 25 U.S.C. Sec. 5131.
  - (e) "Non-Indian land" means land that does not qualify as "Indian country" under 18 U.S.C. Sec. 1151.
  - (f) "Presidential townsite with Indian land" means a municipality incorporated under the laws of the state:
    - (i) created by presidential proclamation pursuant to Sections 2380 and 2381 of the Revised Statutes of the United States, Act of Congress of March 3, 1863, 12 Stat. 754; and
    - (ii) encompassing Indian land and non-Indian land within its municipal boundaries.
- (2) A presidential townsite with Indian land may enter into an agreement that grants authority to agents of the Bureau of Indian Affairs to enforce all applicable state and local misdemeanor and felony offenses on all lands within the presidential townsite with Indian land, provided that each of the following shall be party to the agreement:
  - (a) the presidential townsite with Indian land;
  - (b) the local county sheriff;
  - (c) the Indian tribe with jurisdiction over Indian lands within the presidential townsite with Indian land; and
  - (d) the Bureau of Indian Affairs.
- (3) An agreement entered into under Subsection (2) may be for any period of time and shall state the period of time that the agreement lasts.
- (4) Agents of the Bureau of Indian Affairs who are granted authority to enforce state and local criminal misdemeanor offenses and felonies under an agreement entered into under Subsection (2) shall successfully complete a course focusing on Utah criminal and constitutional law and process specifically approved by the director of the Peace Officer Standards and Training Division created under Section 53-6-103 to qualify the individual for cross-deputization pursuant to this section.

Enacted by Chapter 237, 2018 General Session