



# Senate

General Assembly

**File No. 328**

January Session, 2025

Senate Bill No. 1027

*Senate, March 31, 2025*

The Committee on Labor and Public Employees reported through SEN. KUSHNER of the 24th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

**AN ACT REMOVING THE REQUIREMENT THAT THE STATE  
OPPOSE APPLICATIONS BY FEDERALLY RECOGNIZED INDIAN  
TRIBES TO CONVERT ANY PARCEL OF FEE INTEREST LAND TO  
FEDERAL TRUST STATUS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-57e of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2025*):

3 (a) As used in this section:

4 (1) "Commercial enterprise" means any form of commercial conduct  
5 or a particular commercial transaction or act, including the operation of  
6 a casino, which relates to or is connected with any profit-making  
7 pursuit;

8 (2) "Labor organization" means any organization which exists for the  
9 purpose, in whole or in part, of collective bargaining or of dealing with  
10 employers concerning grievances, terms or conditions of employment,  
11 or of other mutual aid or protection in connection with employment;

12 (3) "Tribe" means any federally recognized Indian tribe which is  
13 subject to the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701  
14 et seq.

15 (b) The state shall not provide any funds or services which directly or  
16 indirectly assist any tribe engaged in a commercial enterprise until the  
17 tribe adopts an Employment Rights Code established pursuant to  
18 subsection [(e)] (d) of this section, unless such funds or services are (1)  
19 required by federal or state law, (2) were agreed to in writing prior to  
20 July 1, 1993, or (3) are provided to a project which is covered by federal  
21 or state employment regulations or employment rights laws. This  
22 subsection shall not be construed to prohibit the state from enforcing  
23 any civil or criminal law, or any gaming regulation at a commercial  
24 enterprise owned or operated by a tribe, or to require the state to enforce  
25 a violation of any criminal law which would not be a violation if it  
26 occurred outside tribal land. The Governor, upon consulting with the  
27 leaders of the General Assembly, may waive the restrictions set forth in  
28 this subsection in the event of a declared emergency.

29 [(c) The state shall oppose any application by a tribe, pursuant to 25  
30 CFR chapter 151, to convert any parcel of fee interest land to federal trust  
31 status. The conversion shall be deemed contrary to the interest of the  
32 state and its residents.]

33 [(d)] (c) The Governor shall include in each future proposal by the  
34 state in negotiations conducted pursuant to the Indian Gaming  
35 Regulatory Act, a provision requiring the adoption of an Employment  
36 Rights Code established pursuant to subsection [(e)] (d) of this section.  
37 The Governor shall employ his best efforts to ensure that any final  
38 agreement, compact or contract established under the Indian Gaming  
39 Regulatory Act includes an Employment Rights Code in accordance  
40 with subsection [(e)] (d) of this section.

41 [(e)] (d) The Employment Rights Code referred to under this section  
42 shall include the following provisions:

43 (1) A commercial enterprise subject to tribal jurisdiction shall not,

44 except in the case of a bona fide occupational qualification or need,  
45 refuse to hire or employ or bar or discharge from employment any  
46 individual or discriminate against him or her in compensation or in  
47 terms, conditions or privileges of employment because of the  
48 individual's race, color, religious creed, sex, gender identity or  
49 expression, marital status, national origin, ancestry, age, present or past  
50 history of mental disorder, intellectual disability, sexual orientation,  
51 learning or physical disability, political activity, union activity or the  
52 exercise of rights protected by the United States Constitution. This  
53 subdivision shall not be construed to restrict the right of a tribe to give  
54 preference in hiring to members of the tribe.

55 (2) A commercial enterprise subject to tribal jurisdiction shall not  
56 deny any individual, including a representative of a labor organization,  
57 seeking to ensure compliance with this section, access to employees of  
58 the tribe's commercial enterprise during nonwork time in nonwork  
59 areas. The tribe shall not permit any supervisor, manager or other agent  
60 of the tribe to restrict or otherwise interfere with such access.

61 (3) When a labor organization claims that it has been designated or  
62 selected for the purposes of collective bargaining by the majority of the  
63 employees in a unit appropriate for such purposes, the labor  
64 organization may apply to an arbitrator to verify the claim pursuant to  
65 subdivision (4) of this subsection. If the arbitrator verifies that the labor  
66 organization has been designated or selected as the bargaining  
67 representative by a majority of the employees in an appropriate unit, the  
68 tribe shall, upon request, recognize the labor organization as the  
69 exclusive bargaining agent and bargain in good faith with the labor  
70 organization in an effort to reach a collective bargaining agreement.  
71 However, the arbitrator shall disallow any claim by a labor organization  
72 that is dominated or controlled by the tribe.

73 (4) (A) Any individual or organization claiming to be injured by a  
74 violation of any provision of this subsection shall have the right to seek  
75 binding arbitration under the rules of the American Arbitration  
76 Association. Such individual or organization shall file a demand for

77 arbitration with the tribe not later than one hundred eighty days after  
78 the employee or labor organization knows or should know of the tribe's  
79 violation of any provision of this subsection. The demand shall state, in  
80 plain language, the facts giving rise to the demand.

81 (B) The demand for arbitration shall also be served upon the  
82 Connecticut office of the American Arbitration Association. Absent  
83 settlement, a hearing shall be held in accordance with the rules and  
84 procedures of the American Arbitration Association. The costs and fees  
85 of the arbitrator shall be shared equally by the tribe and the labor  
86 organization.

87 (C) The decision of the arbitrator shall be final and binding on both  
88 parties and shall be subject to judicial review and enforcement against  
89 all parties in the manner prescribed by chapter 909.

90 (5) A tribe shall not retaliate against any individual who exercises any  
91 right under the Employment Rights Code. Any individual or  
92 organization claiming to be injured by a violation of the provisions of  
93 this section shall have the right to seek binding arbitration pursuant to  
94 subdivision (4) of this subsection.

95 ~~[(f)]~~ (e) Notwithstanding the provisions of this section, the Governor  
96 may negotiate an agreement with a tribe which establishes rights for  
97 employees of commercial enterprises subject to tribal jurisdiction in  
98 addition to those provided under the Employment Rights Code  
99 established under subsection ~~[(e)]~~ (d) of this section.

100 Sec. 2. Section 46a-81aa of the general statutes is repealed and the  
101 following is substituted in lieu thereof (*Effective October 1, 2025*):

102 The provisions of subsection (a) of section 4a-60, subsection (c) of  
103 section 8-169s, section 8-265c, subsection (c) of section 8-294, section 8-  
104 315, subsection (a) of section 10-15c, section 10-153, subsection (b) of  
105 section 10a-6, subsection (a) of section 11-24b, sections 16-245r and 16-  
106 247r, subsection (b) of section 28-15, section 31-22p, subsection ~~[(e)]~~ (d)  
107 of section 31-57e, as amended by this act, sections 32-277, 38a-358 and

108 42-125a, subsection (c) of section 42-125b, subsection (a) of section 46a-  
109 58, subsection (a) of section 46a-59, subsection (b) of section 46a-60,  
110 subsection (a) of section 46a-64, subsections (a) and (e) of section 46a-  
111 64c, subsection (a) of section 46a-66, subsection (a) of section 46a-70,  
112 subsection (a) of section 46a-71, subsection (b) of section 46a-72,  
113 subsection (a) of section 46a-73, subsection (a) of section 46a-75,  
114 subsection (a) of section 46a-76, subsections (b) and (c) of section 52-571d  
115 and section 53-37a that prohibit discrimination on the basis of gender  
116 identity or expression shall not apply to a religious corporation, entity,  
117 association, educational institution or society with respect to the  
118 employment of individuals to perform work connected with the  
119 carrying on by such corporation, entity, association, educational  
120 institution or society of its activities, or with respect to matters of  
121 discipline, faith, internal organization or ecclesiastical rule, custom or  
122 law which are established by such corporation, entity, association,  
123 educational institution or society.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2025</i>	31-57e
Sec. 2	<i>October 1, 2025</i>	46a-81aa

**LAB**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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### **OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

### **Explanation**

The bill removes a provision that requires the state to oppose any application by a Native American tribe to convert any parcel of fee interest land (i.e., land owned with no restrictions) to federal trust status. This does not result in a fiscal impact as it does not restrict the state's ability to oppose such applications.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****SB 1027*****AN ACT REMOVING THE REQUIREMENT THAT THE STATE OPPOSE APPLICATIONS BY FEDERALLY RECOGNIZED INDIAN TRIBES TO CONVERT ANY PARCEL OF FEE INTEREST LAND TO FEDERAL TRUST STATUS.*****SUMMARY**

This bill removes a provision in current law that requires the state to oppose any application by a Native American tribe to convert any parcel of fee interest land (i.e. land owned with no restrictions) to federal trust status under federal regulations on Bureau of Indian Affairs (BIA) land acquisitions.

Generally, land in trust status is held in trust by the United States on behalf of an individual Native American or tribe. Among other things, land held in federal trust status:

1. may qualify for certain BIA programs and services;
2. is not subject to state or local taxes; and
3. cannot be alienated or encumbered (e.g., sold, gifted, or leased) without the federal secretary of the interior's approval.

EFFECTIVE DATE: October 1, 2025

**COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable

Yea 13    Nay 0    (03/13/2025)