



General Assembly

January Session, 2025

Committee Bill No. 1027

LCO No. 4289



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Referred to Committee on LABOR AND PUBLIC EMPLOYEES

Introduced by:
(LAB)

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 Section 31-57e of the general statutes is repealed and the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	October 1, 2025	31-57e
Sec. 2	October 1, 2025	46a-81aa

Statement of Purpose:

To remove the requirement that the state oppose any application by a federally recognized Indian tribe to convert any parcel of fee interest land to federal trust status.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. OSTEN, 19th Dist.

S.B. 1027