

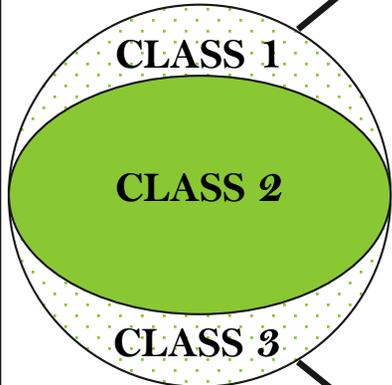
IGRA

Indian Gaming Regulatory Act

Class I gaming is defined as traditional and social Indian gaming for minimal prizes. Regulatory authority over Class I gaming is vested exclusively in tribal governments .

Class II gaming is defined as the game of chance commonly known as bingo. Tribes retain their authority to conduct, license and regulate Class II gaming as long as the state in which the tribe is located permits such gaming for any purpose, and the tribal government adopts a gaming ordinance approved by the Commission. Tribal governments are responsible for regulating Class II gaming, with Commission oversight.

Class III is defined as all forms of gaming that are neither Class I nor Class II. Among other requirements, before a tribe may lawfully conduct Class III gaming, the tribe and the state must have negotiated a compact that has been approved by the Secretary of the Interior. State and tribal governments are primarily responsible for regulating Class III gaming .



What Texas Offers

Class 2:

- Charitable Bingo
- IGRA Class 2 (Kickapoo Tribe of Texas)

Class 3:

- Pari-mutuel Horse and Dog Racing, including off-track betting
- State wide Lottery
- Charitable Raffles
- Professional Sports Texas Charitable Foundations Raffles
- Credit Union Promotional Raffles
- Casino Cruises
- 8 liner slot machines for noncash merchandise with a maximum value of \$5.00
- “Private” poker card rooms
- Some Texas county governments permit gaming establishments to offer 8 liner slot machines for cash payouts and in excess of the \$5.00 limit if the establishments agree to pay a per-machine licensing fees

HR 759

What?

HR 759 adds a new section to the Restoration Act that provides “[n]othing in the Act shall be construed to preclude or limit the applicability of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)”

Why Needed?

After years of litigation, there are still varying interpretations between the judicial branch and the National Indian Gaming Commission on how the Restoration Act and IGRA (two federal statutes) interact.

Consequence

HR 759 clarifies that the Restoration Act Tribes are permitted to offer gaming under IGRA, just like the only other federally recognized Tribe in Texas that has offered Class II electronic bingo since 1996. Fairness and equality require fair and equal treatment to all federally recognized Indian tribes residing in Texas.