



SENATE BILL 655: Extend Certain Rights to Catawba Nation.

2025-2026 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 2, 2025
Introduced by:	Sens. Alexander, Overcash, Britt	Prepared by:	Bill Patterson
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 655 would grant to the Catawba Indian Nation certain rights currently granted by State law to the Eastern Band of the Cherokee Indians.*

CURRENT LAW: The Eastern Band of the Cherokee Nation (EBCI) has been expressly granted various rights under State law. No rights have been expressly granted to the Catawba Indian Nation under State law.

BILL ANALYSIS:

Section 1 would amend Chapter 1E (Eastern Band of Cherokee Indians) to retitle this chapter "Eastern Band of Cherokee Indians and Catawba Indian Nation" and grant to the Catawba Indian Nation the same rights currently granted to the EBCI under Chapter E relating to full faith and credit, tribal law enforcement authority, and probation and parole.

Section 2 would amend G.S. 7A-343(13) to include the Catawba Indian Nation in the exchange of criminal and civil information between the Judicial Department and local, State, and federal governments and the Eastern Band of Cherokee Indians provided by the Administrative Officer of the Courts.

Section 3 would amend G.S. 7A-343.1 to require copies of the appellate division reports to be provided to the Catawba Nation Tribal Courts, as is currently required for the EBCI Cherokee Supreme Court.

Section 4 would amend G.S. 14-159.12 to make it a first degree trespass for a person to enter or remain without authorization on lands of the Catawba Indian Nation after the person has been excluded by resolution passed by the Catawba Indian Nation Executive Committee, as is currently the case for a person entering or remaining without authorization on EBCI lands after having been excluded by a resolution passed by the EBCI Tribal Council.

Section 5 would amend G.S. 20-4.01 to define the word "state" as used in Chapter 20 (Motor Vehicles) of the General Statutes to include Catawba Indian Nation tribal lands located within the boundaries of the State of North Carolina, as is currently the case with EBCI tribal lands.

Section 6 would amend G.S. 20-79.4(b) to require the Division of Motor Vehicles to issue a Catawba Indian Nation special registration plate to a member of the Catawba Indian Nation who presents to the Division a tribal identification card. The Division is currently required to issue an Eastern Band of Cherokee Indians special registration plate to a member of the EBCI who presents a tribal identification card.

Section 7 would amend G.S. 20-79.7 to provide that a Catawba Indian Nation special registration plate is not subject to any fee in addition to the regular motor vehicle registration fee, as is currently provided for the EBCI special registration plate.

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Sections 8, 9, and 10 would amend Chapter 20 (Indian Antiquities, Archaeological Resources and Unmarked Human Skeletal Remains Protection) of the General Statutes to require the Executive Director of the North Carolina Commission on Indian Affairs to notify and consult with the Catawba Indian Nation, as the Director is currently required to do with the EBCI, when an archaeological investigation may result in harm to or destruction of any religious or cultural site pertaining to Native Americans or results in the discovery of human remains determined to be Native American.

Section 11 would amend Article 3 (Jurisdiction over national Park System Lands) of Chapter 104 (United States Lands) to exempt from its provisions lands held in trust by the United States for the Catawba Indian Nation, as is currently the case for lands held in trust by the United States for the EBCI.

Section 12 would amend Article 12 (Property Subject to Taxation) of Chapter 105 (Taxation) to exclude real and personal property located on lands held in trust by the United States for the Catawba Indian Nation, as is currently the case for such property located on lands held in trust by the United States for the EBCI.

Section 13 would amend Article 36C (Gasoline, Diesel, and Blends) of Chapter 105 (Taxation) of the General Statutes to give the Department of Revenue the same authority to enter into an agreement with the Catawba Indian Nation as it is currently authorized to do with the EBCI to make refunds of fuel taxes on behalf of its members who engage in otherwise taxable transactions within Catawba Nation trust lands.

Section 14 would amend Article 5 (Financing of Programs of Public Assistance and Social Services) to provide that when the Catawba Indian Nation assumes responsibility for any social services, Medicaid and NC Health Choice healthcare benefit programs and ancillary services that are otherwise the responsibility of a county under State law, then nonfederal matching funds and State funds for State programs designated to Cleveland County to serve the Catawba Indian Nation for programs previously borne by the State shall be allocated directly to the Catawba Indian Nation rather than to Cleveland County, which is currently the case for funds designated to Jackson and Swain Counties for State programs to serve the EBCI for which the EBCI has taken over responsibility in those counties.

Section 15 would amend Article 4 (Prepaid Health Plans) of Chapter 108D (Medicaid Managed Care Program) to:

- Define "foster care" to include placement of a child whose custody has been awarded by court order or a voluntary placement agreement to the Catawba Nation Department of Family and Social Services, as is currently the case for such placements of a child whose custody has been awarded to the EBCI Department of Public Health and Human Services.
- Provide that adults identified in an open Catawba Nation Department of Family and Social Services family safety program case and any children living in the same home who are Medicaid recipients are eligible to enroll in the children and families specialty plan, as is currently the case for Medicaid recipients who are adults identified in an open EBCI Department of Public Health and Human Services Family Safety Program case and any children living in the same home.

Section 16 would amend Article 21 (Licenses and Permits Issued by the Wildlife Resources Commission) to exempt the lands held in trust by the United States for the Catawba Indian Nation from the fishing license provisions of Article 21, which is currently the case for lands held in trust by the United States for the EBCI. This section would also exempt a member of a federally recognized Indian tribe with trust lands in North Carolina from the licensing provisions of Article 21, which is currently the case for a member of an Indian tribe recognized under Chapter 7AA of the General Statutes.

Section 17 would amend Article 13a (State Advisory Council on Indian Education) of Chapter 115C (Elementary and Secondary Education) to provide that the American Indian Members of the State

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Advisory Council on Indian Education are to be broadly representative of federally and State recognized North Carolina Indian tribes, including the Catawba Indian Nation among others currently specified.

Section 18 would amend G.S. 115C-270.21 to require the State Board of Education, upon the recommendation of the Superintendent of Public Instruction, to enter into a memorandum of understanding with the Catawba Indian Nation specifying the criteria that must be met in order for individuals to teach Catawba language and culture classes, which the Board is currently required to do in the case of the EBCI and teaching of the Cherokee language.

Section 19 would authorize the State Board of Community Colleges to waive tuition and registration fees for courses requested by and supporting the training needs of the Catawba Indian Nation law enforcement, fire, EMS or rescue and lifesaving tribunal government departments or programs, as is currently authorized for such EBCI departments and programs.

Section 20 would amend Article 24 (Wildlife Resources Commission) of Chapter 124 (State Departments, Institutions, and Commissions) to exempt the lands of the Catawba Indian Nation from the purview of the Wildlife Resources Commission's enforcement of all local acts regulating hunting.

Section 21 would amend G.S. 143-652.2 to add one voting member to the North Carolina Boxing and Combat Sports Commission appointed by the Governor from nominations made by the Executive Committee of the Catawba Indian Nation. The Commission's membership currently includes one voting member appointed by the Governor from nominations made by the Tribal Council of the Eastern Band of the Cherokee.

Section 22 would add one member to the American Indian Heritage Commission recommended by the Catawba Indian Nation, in addition to members currently recommended by the Coharie, EBCI, Haliwa0-Saponi, Lumbee, Meherrin, Occaneechi Band of the Saponi Nation, Sappony, and Waccamaw-Siouan.

Section 23 would amend Part 10 (Emergency Telephone Service) of Article 15 (Department of Information Technology) of Chapter 143B (Executive Organization Act of 1973) of the General Statutes to provide that the Catawba Indian Nation is an eligible PSAP for purposes of receiving funds distributed from the 911 Fund, as is currently the case for the EBCI.

CURRENT LAW: G.S. 164-7 currently provides that the General Statutes shall not have the effect of repealing any of the following statutes if such statutes were in force on the effective date of the General Statutes:

- Statutes affecting only a particular locality.
- Public-local or private statutes.
- Statutes relating the boundary of the State or of any county.
- Acts ceding or relating to the ceding of lands of the State to the federal government.
- Statutes relating to the Cherokee lands.
- Statutes relating to the construction or interpretation of statutes.
- Statutes by virtue of which bonds have been issued and are outstanding on the effective date of the General Statutes.
- Validating acts or curative statutes.
- Acts granting pensions to named individuals.

BILL ANALYSIS:

Section 24 would amend G.S. 164-7 by:

- Adding statutes relating to the Catawba lands to the list of statutes that are not repealed by the General Statutes under this statute.

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- Providing that the General Statutes shall not have the effect of repealing any of the listed statutes regardless of whether the statute was in force on the effective date of the General Statutes.,

EFFECTIVE DATE: Section 5 of this act becomes effective July 1, 2025. The remainder of this act would be effective when it becomes law.