

5. — Smith — 1st Degree — 7

AMENDMENT NO. _____ Calendar No. _____

Purpose: To include a rule of construction relating to certain
State and Tribal laws.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural
and other programs of the Department of Agriculture
through fiscal year 2031, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. SMITH

Viz:

1 At the appropriate place in subtitle F of title XII,

2 insert the following:

3 **SEC. 126____. RULE OF CONSTRUCTION RELATING TO CER-**

4 **TAIN STATE AND TRIBAL LAWS.**

5 Section 5c(c) of the Commodity Exchange Act (7

6 U.S.C. 7a-2(c)) is amended by adding at the end the fol-

7 lowing:

8 “(6) APPLICABILITY OF FEDERAL, STATE, AND

9 TRIBAL GAMING LAWS.—

10 “(A) PROHIBITION ON LISTING.—Notwith-

11 standing any other provision of this section, no

1 agreement, contract, transaction, or swap relat-
2 ing to the outcome of or team or individual per-
3 formance or statistics within any sporting event
4 or athletic competition or any casino-style game
5 may be listed or made available for clearing or
6 trading on or through a registered entity.

7 “(B) RULES OF CONSTRUCTION.— Noth-
8 ing in this Act shall be construed—

9 “(i) to preempt the Indian Gaming
10 Regulatory Act (25 U.S.C. 2701 et seq.),
11 subchapter IV of chapter 53 of title 31,
12 United States Code, section 1084 of title
13 18, United States Code, or any State or
14 Tribal law, rule, regulation, ordinance, or
15 resolution that regulates or prohibits any
16 agreement, contract, or transaction relat-
17 ing to any sporting event or athletic com-
18 petition or any casino-style game; or

19 “(ii) to preempt, repeal, limit, super-
20 sede, or otherwise affect the application of
21 any Federal law, including the Indian
22 Gaming Regulatory Act (25 U.S.C. 2701
23 et seq.), State law, or Tribal law relating
24 to gaming or gambling.”.