



## Legislation Text

File #: 12-011, Version: 1

### **AN ACT AMENDING LEGISLATIVE ACT 25-01 THE FREEDOM OF INFORMATION ACT SETTING FORTH DISCLOSURE REQUIREMENTS AND DECLARING AN EMERGENCY BE IT ENACTED BY THE CHEROKEE NATION:**

**Section 1. Title and Codification**

This Legislative Act shall be titled as the "Freedom of Information and Rights to Privacy Act Amendment of 2012" and codified under Title 75 Sections 1-17 of the Cherokee Nation Code Annotated ("CNCA").

**Section 2. Purpose**

The purpose of this Act is to require an explanation if documents or records are determined exempt from disclosure or produced and marked confidential.

**Section 3. Legislative History**

L.A. 25-01

**Section 4. Substantive Provisions**

(New) Section (§ 75-1-6) Matters Exempt From Disclosure

B. Any record that is requested and is determined to be exempt and not disclosed or is disclosed and marked confidential shall be accompanied by a statement setting out the reasons for such determination.

**Section 5. Provisions as Cumulative**

The provisions of this act shall be cumulative to existing law.

**Section 6. Severability**

The provisions of this act are severable and if any part of provision hereof shall be held void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this act.

**Section 7. Emergency Declared**

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this act shall take effect and be in full force after its passage and approval.