



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Details (With Text)

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|------------------------|---|----------------------|---|--------------|--|
| File #: | 12-011 | Version: | 1 | Name: | FREEDOM OF INFORMATION AND RIGHTS TO PRIVACY ACT AMENDMENT OF 2012 |
| Type: | Legislative Act | Status: | | | Passed |
| File created: | 1/11/2012 | In control: | | | TRIBAL COUNCIL |
| On agenda: | 2/13/2012 | Final action: | | | 2/23/2012 |
| Enactment date: | 2/23/2012 | Enactment #: | | | LA-04-12 |
| Title: | AN ACT AMENDING LEGISLATIVE ACT 25-01 THE FREEDOM OF INFORMATION ACT SETTING FORTH DISCLOSURE REQUIREMENTS AND DECLARING AN EMERGENCY | | | | |
| Sponsors: | David Thornton, Sr., Cara Cowan Watts | | | | |
| Indexes: | FOIA, Freedom of Information and Rights to Privacy Act | | | | |
| Code sections: | Title 75 - Statutes and Reports | | | | |
| Attachments: | 1. LA-04-12 | | | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------|-----------------------------------|--------|
| 2/28/2012 | 1 | OFFICE OF THE CHIEF | Signed | |
| 2/23/2012 | 1 | TRIBAL COUNCIL | Approved | Pass |
| 1/26/2012 | 1 | RULES COMMITTEE | Approved and Forwarded to Council | Pass |

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.