



# Council of the Cherokee Nation

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

## Legislation Details (With Text)

**File #:** 12-109      **Version:** 3      **Name:**

**Type:** Legislative Act      **Status:** Passed

**File created:** 8/15/2012      **In control:** TRIBAL COUNCIL

**On agenda:** 9/17/2012      **Final action:** 9/17/2012

**Enactment date:** 9/17/2012      **Enactment #:** LA-34-12

**Title:** AN ACT RELATING TO SUBSIDIES FOR SMOKESHOP RETAILERS

**Sponsors:** David Thornton, Sr.

**Indexes:** Tax Commission, tobacco

**Code sections:** N/A - Not Applicable

**Attachments:** 1. LA-34-12

Date	Ver.	Action By	Action	Result
9/21/2012	3	OFFICE OF THE CHIEF	Signed	
9/17/2012	3	TRIBAL COUNCIL	Approved	Pass
8/30/2012	2	RULES COMMITTEE	Approved and Forwarded to Council	Pass
8/30/2012	1	RULES COMMITTEE	Amended	Pass
8/30/2012	1	RULES COMMITTEE	Amended	Pass

### **AN ACT RELATING TO SUBSIDIES FOR SMOKESHOP RETAILERS BE IT ENACTED BY THE CHEROKEE NATION:**

#### **Section 1. Title and Codification**

This act shall be known as the "Smoke Shop Subsidy Act for Retailers for FY 2013" and codified as \_\_\_\_\_ (Title) \_\_\_\_\_ (Section) \_\_\_\_\_ of the Cherokee Nation Code Annotated.

#### **Section 2. Purpose**

This Act is to provide a seventy-five percent (75%) subsidy for Smoke Shop Retailers based upon the lease payments made to landowners where the retailers' smoke shops are situated. Funding source for these subsidies shall be from the General Fund.

#### **Section 3. Substantive provisions**

The following section shall be included in Title 68 of the Cherokee nation Code Annotated:

##### **Subsidy:**

A seventy-five percent (75%) subsidy shall be paid to all smoke shop retailers based upon the monthly lease paid to landowners of the property that retailers lease for their smoke shop businesses. These subsidies will be paid by the Cherokee Nation from the General Fund.

Smoke shop retailers shall provide a copy of the current lease agreement to the Cherokee

Nation Tax Commission to receive this subsidy.

The Cherokee Nation Tax Commission shall establish specific procedures to facilitate the seventy-five percent (75%) subsidy.

#### **Section 4. Provisions as cumulative**

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

#### **Section 5. 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 6. Effective Date**

This subsidy shall be effective for only the Fiscal Year (FY) 2013, beginning October 1, 2012 and ending September 30, 2013.