



Council of the Cherokee Nation

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

Legislation Text

File #: 24-056, Version: 2

THE CHEROKEE NATION LIVESTOCK PROTECTION ACT OF 2024

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the Cherokee Nation Livestock Protection Act of 2024 and codified as Title 2, Section 41 and Title 4, Section 42.1 of the Cherokee Nation Code Annotated.

Section 2. Purpose

The purpose of this Act is to allow owners of livestock to protect their animals from dangerous dogs.

Section 3. Legislative History

None.

Section 4. Definitions

For purposes of this Title:

For purposes of this section:

1. "Livestock" means any cattle, bison, hog, sheep, goat, equine, domesticated rabbits, chicken or other poultry and shall include exotic livestock;
2. "Exotic livestock" means commercially raised exotic livestock including animals of the families *bovidae*, *cervidae* and *antilopridae* or birds of the ratite group;
3. "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having control or custody of an animal.

Section 5. Substantive Provisions

Section 41 - Dogs Chasing Livestock - Right to Kill - Nuisance

A. It shall be lawful for a person to kill any animal of the family *canidae* or the family *felidae* found chasing livestock off the premises of the owner of the animal if the person is the owner or occupant of the property on which the animal is chasing the livestock or if

the person is authorized to kill such an animal by the owner or occupant of such property.

B. The owner of any animal of the family *canidae* or the family *felidae* that kills or injures any livestock shall be jointly and severally liable to any person so damaged, to the full amount of the injury done and damages caused, including reasonable attorney fees and litigation expenses.

Section 42.1 - Owner Liable for Damages From Dogbites

The owner or owners of any dog shall be liable for damages to the full amount of any damages sustained when his dog, without provocation, bites or injures any person while such person is in or on a place where he has a lawful right to be.

Section 6. Provisions as Cumulative

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

Section 7. Severability

The provisions of this act are severable and if any part or 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 8. Effective Date/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.

Section 9. Self-Help Contributions

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.