



## Legislation Text

File #: 18-074, Version: 1

### **AN ACT RELATING TO THE AMENDMENT OF TITLE 18 OF THE CORPORATIONS CODE REQUIRING COUNCIL APPROVAL OF CAMPAIGN CONTRIBUTIONS GIVEN BY CHEROKEE OWNED CORPORATIONS**

**BE IT ENACTED BY THE CHEROKEE NATION:**

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

This act shall be known as the "The Cherokee Nation Corporation Campaign Contribution Act of 2018 and codified as Title 18, Section 19 of the Cherokee Nation Code Annotated.

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

The purpose of this act is to provide for Tribal Council approval of any political or campaign contributions of a corporation, limited liability company, non-profit company, or any other business entity owned by the Cherokee Nation, prior to the contribution being made.

#### **Section 3. Legislative History**

Title 18 C.N.C.A.

Article X, Section 7 of the Cherokee Nation Constitution: The credit of the Cherokee Nation shall not be given, pledged, or loaned to any individual, firm, company, corporation, or association without the approval of the Council. The Cherokee Nation shall not make any donations by gift, bonus, or otherwise, to any individual, firm, company, corporation, or association without the approval of the Council.

#### **Section 4. Definitions**

For purposes of this Title:

D. "Campaign Contribution" means a gift or donation of monies or anything of value, including "in kind" contributions.

#### **Section 5. Substantive Provisions**

Any corporation, limited liability company, non-profit company, and any other business entity in which the Cherokee Nation is the sole or majority shareholder, shall have the authority to make campaign contributions to political candidates, political parties, state questions or other issue oriented campaigns as allowed by state and federal law. Provided that said business entity receives prior approval by the Tribal Council resolution prior to said contributions being made. Business entities in which the Cherokee Nation is the sole or majority shareholder are prohibited from making any type of campaign contributions in Cherokee Nation elections. Corporate officials or directors violating the provisions of this section may be guilty of a crime and subject to removal.

#### **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 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 8. 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.