



Council of the Cherokee Nation

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

Legislation Details (With Text)

File #:	21-119	Version:	1	Name:	JOB'S GROWTH ACT REAL ESTATE ACQUISITION AMENDMENT OF 2021
Type:	Legislative Act	Status:	Passed		
File created:	12/1/2021	In control:	TRIBAL COUNCIL		
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Enactment date:	1/10/2022	Enactment #:	LA-01-22		
Title:	AN ACT AMENDING TITLE 18 OF THE CHEROKEE NATION CODE ANNOTATED				
Sponsors:	Joe Deere, Mike Shambaugh, E. O. "JR." Smith, Rex Jordan, Johnny Kidwell, Shawn Crittenden, Victoria Vazquez, Melvina Shotpouch, Mike Dobbins, Joshua Sam, Danny Callison, Keith Austin, Dora Patzkowski				
Indexes:	Jobs Growth Act, Real Estate, Real Property Acquisition				
Code sections:	Title 18 - Corporations				
Attachments:	1. LA-001-22.PDF				

Date	Ver.	Action By	Action	Result
1/11/2022	1	OFFICE OF THE CHIEF	Signed	
1/10/2022	1	TRIBAL COUNCIL	Approved	Pass
12/14/2021	1	RULES COMMITTEE	Approved and Forwarded to Council	Pass

AN ACT AMENDING TITLE 18 OF THE CHEROKEE NATION CODE ANNOTATED

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the "Jobs Growth Act Real Estate Acquisition Amendment of 2021" and codified at Title 18, Section 404 of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

This amendment expands the Tribal Council's authority to pre-approve real property acquisitions up to a certain percentage, to enhance economic development and tribal self-sufficiency within the Cherokee Nation.

Section 3. Legislative History

LA-16-96

LA-4-04

LA-37-05

LA-11-10

LA-27-11

LA-23-12

Section 4. Substantive Amendment

Title 18, Section 404, Subsection B shall be amended as follows:

§ 404. Ownership of certain Cherokee Nation business entities

B. Acquisitions

1. Real Estate Acquisitions. CNB shall be subject to Legislative Act 4-04, as amended, which requires that all real estate acquisitions be corporations in which the Nation is a majority shareholder, greater than \$6 million in the aggregate annually be approved by the Council of the Cherokee Nation. CNB shall be subject to Legislative Act 4-04, as amended, provided that the Cherokee Nation Tribal Council hereby pre-approves real property acquisitions in the aggregate during each fiscal year by CNB (including its wholly-owned subsidiaries) in an amount not to exceed three and one-half percent (3.5%) of CNB's total assets as reflected in its certified annual audit for the immediately preceding fiscal year.
2. Notice to Council. Notice for business acquisitions shall be provided to the Council of the Cherokee Nation, prior to notification to the public or to members of the press. Such notification will include, but not be limited to, notice in writing or presentation to special and regular committee meetings.

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. 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 upon 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.