

Cherokee Nation Code Annotated

Title 4: Amusements and Sports

Chapter 2: Gaming Commission Administration and Enforcement Procedures

§ 27. Authorization of gaming

Cite as: 4 CNCA § 27

A. Prohibition of unauthorized gaming. No person licensed by the Gaming Commission shall engage, conduct or condone any game in a facility under the jurisdiction of the Gaming Commission unless such game is approved by the Gaming Commission and regulations for rules governing such game have been duly promulgated and approved by the Gaming Commission.

B. Authorization of gaming. The Gaming Commission may authorize the playing of any game not prohibited by the IGRA, any game not prohibited by a Tribal–State Compact, and/or not specifically prohibited by the laws of the State of Oklahoma. The Gaming Commission shall promulgate regulations for rules governing all authorized games, including regulations governing the equipment, whether electronic or manual (e.g. chips, cards, machines, computer systems, etc.) used in such game. Any provision in a Tribal–State Compact with the State of Oklahoma providing for testing, notice to, and comment from the State shall be complied with before any game is authorized by the Gaming Commission.

C. Approval of gaming equipment. The Gaming Commission shall have the discretion to review and approve all gaming systems and other equipment used in the gaming facility as to quality, design, integrity, fairness, honesty, and suitability.

1. The Gaming Commission may require a prototype or sample of any model of gaming system or other equipment used in the gaming facility to be placed in the custody of the Gaming Commission and retained as a control for comparison purposes.

2. The Gaming Commission may rely on an independent outside testing laboratory or other professional expertise it deems necessary or appropriate to ensure the integrity of gaming systems, equipment, supplies, etc.

D. Rules and regulations of games

1. It shall be the responsibility of the Gaming Commission to promulgate regulations establishing the particular rules of all classes of gaming for each authorized game in order that said gaming will be conducted with fairness and uniformity.

2. The rules of each authorized game offered at facilities licensed by the Gaming Commission shall be posted, and shall be clearly legible, in a conspicuous location and/or

made available to patrons in pamphlet form. Such rules, and any modifications or amendments thereto, must be approved by the Gaming Commission prior to publication and implementation.

E. Gaming related activity of the Nation. The Gaming Commission shall have full jurisdiction for regulatory compliance and enforcement of any other gaming related activity that the Nation may elect to conduct. The Gaming Commission shall promulgate such regulations as it deems necessary to ensure the integrity of such activity and to ensure compliance with all applicable laws and regulations but the scope of such regulations shall be in accordance with 4 CNCA § 22(C). Gaming Commission approval with regard to compliance with applicable gaming laws and regulations shall be required for any contracts related to any such gaming related activities. For the purposes of this section, such gaming related activities shall include, but are not limited to the following:

1. Manufacture, development, assembly, sales, or distribution of any gaming machines, devices, equipment, software, or components thereof;
2. Joint ventures with other Tribes, entities, persons, etc. related to gaming activity;
3. Pre-licensure of any entity or individual providing loans, grants or similar financial arrangements related to gaming activity in excess of Fifty Thousand Dollars (\$50,000,00) in any twelve (12)-month period, subject to the exceptions set forth in the Compact between the Cherokee Nation and State of Oklahoma.

Historical Data

LA 26–10, eff. September 13, 2010. Amended LA 10–11, eff. June 19, 2011; LA 07–14, eff. April 24, 2014; LA 17–14, eff. July 18, 2014.