

Cherokee Nation Code Annotated

Title 12: Civil Procedure

Chapter 2: Unfair and Deceptive Practices

§ 27. Product liability actions

Cite as: 12 CNCA § 27

A. A manufacturer or seller shall be liable for any loss caused by the manufacturer's or seller's negligence, intentional misconduct, recklessness, or other act or omission, such as negligently modifying or altering a product.

B. For purposes of this section, "loss" includes actual damages, punitive damages, consequential damages, court costs and other reasonable expenses, reasonable attorneys' fees, and reasonably foreseeable harm.

C. Damages awarded by the trier of fact shall, on final judgment, be deemed reasonable for purposes of this section.

D. For purposes of this section, a wholesale distributor or retail seller who completely or partially assembles a product in accordance with the manufacturer's instructions shall be considered a seller.

Historical Data and Statutory Notes

LA 08–18, eff. May 18, 2018.

2018 Legislation

LA 08–18, Section 2, provides:

"Section 2. Purpose. The purpose of this Act is to modernize the laws and the Cherokee Nation and to protect elders, disabled and all other Cherokee citizens from unfair and deceptive business practices, unsafe products and unfair competition."