

Cherokee Nation Code Annotated

Title 18: Corporations

Chapter 2: Cherokee Nation Limited Liability Company Act

Article 9: Foreign Liability Companies

§ 254. Activities that do not constitute transacting business in Cherokee Nation

Cite as: 18 CNCA § 254

A. Activities of a foreign limited liability company that do not constitute transacting business in Cherokee Nation within the meaning of this article include:

1. maintaining, defending, or settling an action or proceeding;
2. holding meetings of its members or managers or carrying on any other activities concerning its internal affairs;
3. maintaining bank accounts;
4. maintaining offices or agencies for the transfer, exchange, and registration of the foreign limited liability company's own securities or maintaining trustees or depositories with respect to those securities;
5. selling through independent contractors;
6. soliciting or obtaining orders, whether by mail or through employees or agents or otherwise, if the orders require acceptance outside Cherokee Nation before they become contracts;
7. creating or acquiring indebtedness, mortgages, or security interests in real or personal property;
8. securing or collecting debts or enforcing mortgages or other security interests in property securing the debts, and holding, protecting, and maintaining property so acquired;
9. holding, protecting, renting, maintaining and operating real or personal property in Cherokee Nation so acquired;
10. selling or transferring title to property in Cherokee Nation to any person;
11. conducting an isolated transaction that is completed within thirty (30) days and is not one in the course of repeated transactions of a like manner; and
12. transacting business with Cherokee Nation.

B. For purposes of this article, the ownership in Cherokee Nation of income-producing real property or tangible personal property, other than property excluded under subsection (A), constitutes transacting business in Cherokee Nation.

C. This section does not apply in determining the contacts or activities that may subject a foreign limited liability company to service of process, taxation, or regulation under any other law of Cherokee Nation or under federal law.

Historical Data

LA 32-04, eff. July 16, 2004.