

Cherokee Nation Code Annotated

Title 18: Corporations

Chapter 3: Cherokee Nation Nonprofit Corporations Act

§ 310. Amendment of articles

Cite as: 18 CNCA § 310

A. A corporation established under this chapter may amend its articles of incorporation from time to time, in any and as many respects as may be desired including without limitation change of name, change in period of duration and change to enlarge or diminish its corporate purposes; provided that its articles of incorporation as amended contain only such provisions as might be lawfully contained in original articles of incorporation at the time of making such amendments.

B. Amendments to the articles of incorporation shall be adopted by the affirmative vote of a majority vote of the Board after notice in accordance with 18 CNCA § 303(6) herein, and shall be approved by Cherokee Nation Council. The articles of amendment shall be executed in duplicate by the corporation by its president and its secretary, and verified by one of the officers signing such articles and shall set forth the name of the corporation, the amendments so adopted the date of the adoption of the amendments by the board of directors, and the number of directors voting for and against such amendment respectively. A copy of the Council resolution approving the articles of amendment shall be attached to each duplicate original.

C. Duplicate originals of the articles of amendment shall be filed in the Office of the Principal Chief. If the Principal Chief finds the articles of amendment conform to law, he shall record the articles of amendment and issue and record a certificate of amendment. The certificate of amendment together with the duplicate original of the articles of amendment affixed thereto, shall be returned to the corporation or its representative.

D. The articles of incorporation shall be deemed amended upon issuance of the certificate of amendment by the Principal Chief or on such later date, not more than thirty (30) days subsequent to the filing thereof with the Principal Chief, as shall be provided for in the articles of incorporation. No amendment shall affect any existing causes of action in favor of or against such corporation, or any pending suit to which such corporation shall be a party, or the existing rights of persons; and in the event the corporate name shall be changed by amendment, no suit brought by or against such corporation under its former name shall abate for that reason.

Historical Data

LA 2-96, eff. March 11, 1996. Amended LA 17-96, eff. September 16, 1996.