

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part III. Crimes Against the Person

Chapter 30: Miscellaneous Offenses Against the Person

**§ 839.1. Right of privacy—Use of name or picture for advertising without consent—
Misdemeanor**

Cite as: 21 CNCA § 839.1

Any person, firm or corporation that uses for the purpose of advertising for the sale of any goods, wares or merchandise, or for the solicitation of patronage by any business enterprise, the name, portrait or picture of any person, without having obtained, prior or subsequent to such use, the consent of such person, or, if such person is a minor, the consent of a parent or guardian, and, if such person is deceased, without the consent of the surviving spouse, personal representatives, or that of a majority of the deceased's adult heirs, is guilty of a misdemeanor punishable by imprisonment for a period of not more than one (1) year, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 28-20, eff. December 14, 2020.