

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part IV. Crimes Against Public Decency and Morality

Chapter 39: Cherokee Nation Obscenity and Child Pornography Act

§ 1040.13. Acts prohibited--Felony

Cite as: 21 CNCA § 1040.13

Every person who, with knowledge of its contents, sends, brings, or causes to be sent or brought into this Nation for sale or commercial distribution, or in this Nation prepares, sells, exhibits, commercially distributes, gives away, offers to give away, or has in his possession with intent to sell, to commercially distribute, to exhibit, to give away, or to offer to give away any obscene material or child pornography or gives information stating when, where, how, or from whom, or by what means obscene material or child pornography can be purchased or obtained, upon conviction, shall be guilty of a felony punishable by imprisonment for a term not to exceed three (3) years or by a fine of not more than Fifteen Thousand Dollars (\$15,000), or by both such imprisonment and fine, provided that such punishment must include a term of imprisonment. Any person convicted of a violation of this section where the offense involved child pornography shall be required to register as a sex offender pursuant to 57 CNCA § 1 et seq. The jury, if any, shall be advised that the mandatory sex offender registration is a civil remedy that shall be in addition to the actual imprisonment.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 20–08, eff. January 12, 2009. Amended LA 09–12, eff. May 23, 2012. Amended LA 07-21, eff. February 22, 2021.