

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 56: Arson
§ 1404. Arson in the fourth degree—Punishment

Cite as: 21 CNCA § 1404

A. Any person who willfully and maliciously attempts to set fire to or burn or attempts by use of any explosive device or substance to destroy in whole or in part, or causes to be burned or destroyed, or attempts to counsel or procure the burning or destruction of any building or property mentioned in 21 CNCA § 1401, 21 CNCA § 1402 or 21 CNCA § 1403 shall be guilty of arson in the fourth degree, which is a felony punishable by imprisonment for a term not to exceed three (3) years or by imposition of a fine in an amount not to exceed Fifteen Thousand Dollars (\$15,000), or by both such fine and imprisonment.

B. The placing or distributing of any flammable, explosive or combustible material or substance or any device in any building or property mentioned in 21 CNCA § 1401, 21 CNCA § 1402 or 21 CNCA § 1403, in an arrangement or preparation with intent to eventually willfully and maliciously set fire to or burn or to procure the setting fire to or burning of same, shall for the purposes of this section constitute an attempt to burn such building or property, and shall be guilty of arson in the fourth degree, which is a felony punishable by imprisonment for a term not to exceed three (3) years or by imposition of a fine in an amount not to exceed Fifteen Thousand Dollars (\$15,000), or by both such fine and imprisonment.

C. Arson in the fourth degree is a felony.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 07-21, eff. February 22, 2021.