

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part VII. Crimes Against Property

Chapter 63: Forgery or Counterfeiting

§ 1577a. Notes, checks, bills, drafts--Sale, exchange or delivery

Cite as: 21 CNCA § 1577a

A. Every person who sells, exchanges or delivers for any consideration any forged or counterfeited promissory note, check, bill, draft, or other evidence of debt, or engagement for the payment of money absolutely, or upon any contingency, knowing the same to be forged or counterfeited, with intent to have the same uttered or passed, or who offers any such note or other instrument for sale, exchange or delivery for any consideration, with the like knowledge and intent, or who receives any such note or other instrument upon a sale, exchange or delivery for any consideration with the like knowledge and intent, is punishable as follows:

1. If the value of the instrument is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of misdemeanor forgery punishable by imprisonment for a term not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;
2. If the value of the instrument is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of felony forgery punishable by imprisonment for a term not to exceed two (2) years, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;
3. If the value of the instrument is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of felony forgery punishable by imprisonment for a term not to exceed three (3) years, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; or
4. If the value of the instrument is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of felony forgery punishable by imprisonment for a term not to exceed three (3) years, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking

which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

Historical Data

LA 07-21, eff. February 22, 2021.