

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 69: Malicious Mischief
§ 1767.3. Definitions

Cite as: 21 CNCA § 1767.3

As used in 21 CNCA § 1767.1:

1. **"Component parts"** means separate parts which if assembled would form an explosive device. Component parts of an **"incendiary device"** shall consist of an inflammable material, a breakable container and a source of ignition.
2. **"Person"** means any individual, firm, copartnership, corporation, company, association, joint stock association, and includes any trustee, receiver, assignee or personal representative thereof.
3. **"Explosive" or "explosives"** means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, or which, although not its primary or common purpose, has been modified, manipulated, altered, enhanced, or otherwise caused to function by explosion (that is with substantial instantaneous release of gas, heat, debris, or concussive pressure or force, or any combination of such actions), unless such compound, mixture or device is otherwise specifically classified by the United States Department of Transportation. The term **"explosive"** or **"explosives"** shall include but not be limited to gunpowder, dynamite, any bomb, and all material which is classified as explosives by the United States Department of Transportation;
- "Incendiary device"** means any chemical compound, mixture or device, the primary purpose of which is to ignite on impact or as a result of chemical reaction such as a **"Molotov cocktail"** or **"firebomb"** which is ignited on impact, causing a mechanical reaction of the container's breaking and permitting the inflammable matter to spread or splatter and is ignited from the burning wick or hypergolic reaction of chemicals;
4. **"Component parts"** means separate parts which if assembled would form an explosive device. Component parts of an **"incendiary device"** shall consist of an inflammable material, a breakable container and a source of ignition; and
5. **"Simulated bomb"** means any device or object that by its design, construction, content, or characteristics appears to be, or to contain, an incendiary device, explosive, or explosives, as defined in this section, but is, in fact, an inoperative facsimile or imitation of such a device or explosive.

Historical Data

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