

Cherokee Nation Code Annotated

Title 26: Elections

Chapter 2: Supervisory Bodies and Election Commission Office

§ 12. Precinct Boards

Cite as: 26 CNCA § 12

A. Establishment of Precinct Boards. There shall be a Precinct Board consisting of not more than six (6) people but, adequate in number to carry out the provision of this Title for each Precinct as defined in § 3 of this Title, and for any other places specified by the Election Commission. Each Precinct Board shall be selected by the Election Commission. The responsibilities of each Precinct Board Official shall be established by the Election Commission, and may include titles such as Inspector, Judge, Clerk and any other position and/or titles deemed necessary by the Election Commissioners.

B. Qualifications. No Elected Official of the Cherokee Nation, no person who is related within the first degree by either consanguinity or affinity to an Elected Official, and no employee of the Cherokee Nation, including any corporation, agency or other entity which is at least fifty-one percent (51%) owned by the Cherokee Nation, shall serve on a Precinct Board. No Candidate or regular employee of a Candidate for Elective Office or person who is related within the first degree by either consanguinity or affinity to a Candidate for Elective Office shall serve on a Precinct Board.

C. Duties. Each Precinct Board shall attend a mandatory training to be held by the Election Commission prior to the General Election or Special Election. The Precinct Board shall oversee the conduct of General Elections and Special Elections at its assigned Precinct within a district, including the following specific duties:

1. Ensure that the identity of each person attempting to vote is established either through personal knowledge, or photo ID or by viewing some current form of government issued ID card or the voter's ID card issued by the Cherokee Nation Election Commission or other methods of identification;
2. Ensure that the name of each person attempting to vote is on the Precinct Voters Signature Book at the particular Precinct where each person is attempting to vote;
3. Ensure that the voter countersigns his name or makes his mark on the Precinct Voters Signature book of persons voting, provided that the mark of a voter who makes his or her mark on the register shall be witnessed by the Precinct Inspector and one other Precinct Official who shall write his or her initials beside the mark;
4. Ensure that only one ballot is cast by the voter at the Precinct;

5. Make a decision regarding questions of eligibility of a person to vote pursuant to the procedure for Challenged Ballots set forth in § 64 of this Title;
6. Ensure that the Ballot Boxes and Ballot Transfer Cases are locked at all times except when the ballots are being counted; or if Counting Devices are used, to ensure that said devices are not subject to tampering and that the Ballot Transfer Cases are secured;
7. Count the ballots cast and make a tally thereof, provided that counting and tallying may be made manually or by an Electronic Counting Device as directed by the Election Commission;
8. Make Precinct Certified Election Returns, to include the number of votes cast in that Precinct, a vote tally, the number of Challenged Ballots cast and post a copy thereof on the exterior of the Precinct. The number of votes cast at precincts will be posted in public view before ballots are transferred to the Election Commission to conduct an official count. If there is a machine malfunction, ballots may be secured, brought to the Election Commission Office and an Election Night Recount shall be conducted by the Election Commission on an Electronic Counting Device or manually counted before the Election Commission and results shall be posted on the Election Commission website and within public view at the Election Commission office;
9. Preserve mutilated ballots;
10. Return all of the Ballot Transfer Cases containing unvoted ballots, seal, and mark the Ballot Transfer Cases with the name of the Precinct and date of election;
11. Deliver the electronic media and the Certificate of Vote locked and sealed inside the Ballot Transfer Case to the Election Commission Office or a designated check-in point; and,
12. Report conduct which, based on actual observation or information from another person, appears to the precinct Board Member to violate § 52 of this Title to the Cherokee Nation Election Commission and the CNEC will report the incident to the appropriate Cherokee Nation authorities.

D. Presence During Voting Hours. No member of a Precinct Board shall leave the Precinct during voting hours except with authorization by the Election Commission. If any member of the Precinct Board leaves the precinct or premises without authorization, said member cannot return to the Precinct.

E. Compensation. The members of the Precinct Board shall receive such stipends or compensation for his or her services as prescribed by the Election Commission.

Historical Data

LA 06–10, eff. February 23, 2010. Amended LA 46–12, eff. December 17, 2012; LA 04–14, eff. February 19, 2014; LA 12–16, eff. May 18, 2016. Amended LA 22–20, eff. October 13, 2020. Amended LA 14–22, eff. May 16, 2022. Amended LA 20–26, eff. June 11, 2026.