

Cherokee Nation Code Annotated

Title 26: Elections

Chapter 5: Disclosure of Campaign Finances

§ 41. Definitions

Cite as: 26 CNCA § 41

For purposes of this chapter, the following terms shall be defined as follows:

A. Campaign Contribution. "Campaign Contribution" means a contribution in money or goods or services to a Candidate that is offered or given with the intent that it be used in connection with a campaign for elective office. Whether a contribution is made before, during, or after an election does not affect its status as a Campaign Contribution. A Candidate that withdraws from an election or fails to file, must report their contributions and expenditures. Any excess contributions beyond expenses must be forwarded to the Election Commission or returned to contributors by the end of the applicable election period.

B. Campaign Expenditure. "Campaign Expenditure" means an expenditure of money or services incurred by any person in connection with a campaign for an elective office. Whether an expenditure is incurred before, during or after an election does not affect its status as a campaign expenditure. A Candidate that withdraws from an election or fails to file must report their contributions and expenditures. Any excess contributions beyond expenses must be forwarded to the Election Commission or returned to the contributors by the end of the applicable election period.

C. Financial Agent. "Financial Agent" means the person or persons, who shall be a Citizen of the Cherokee Nation, designated and authorized by a Candidate to accept contributions and pay obligations related to the Candidate's campaign pursuant to § 42 of this Title.

D. In-Kind Contribution. "In-Kind Contribution" shall mean any Campaign Contribution of a good or service rather than a money donation. In-Kind Contributions shall be reported as such, and the report shall include the name of the donor, his or her address, occupation, and the fair market value of the good or service contributed. Provided that legal services offered to a Campaign pursuant to § 43 (F) of this Title shall not be considered an In-Kind Contribution.

E. Legal Entity. "Legal Entity" means any associations or groups comprised of any combination of individuals or corporations that expresses interest by political activities, financial contributions or other methods of either support for or opposition to any

Candidate for any office or any Constitutional amendments, initiatives and referenda in any Cherokee Nation Election.

F. **Loans.** "Loan" shall be any payment made from the Candidate's own funds for campaign purposes, or any funds obtained by loan to the Candidate from a bank, savings and loan association or credit union on his or her own behalf, and shall be considered as contributions, unless specifically exempted herein.

G. **Report.** "Report" means a Financial Disclosure Report required by this Chapter.

Historical Data

LA 06-10, eff. February 23, 2010. Amended LA 46-12, eff. December 17, 2012. Amended LA 22-20, eff. October 13, 2020. Amended LA 14-22, eff. May 16, 2022.