

## **Cherokee Nation Code Annotated**

### **Title 26: Elections**

#### **Chapter 5: Disclosure of Campaign Finances**

#### **§ 44. Candidate Requirements related to Acceptance of Campaign Contributions and Expenditures**

Cite as: 26 CNCA § 44

A. Period for Acceptance of Campaign Contributions. No Officeholder, no Candidate, no potential Candidate for elective office and no Financial Agent shall receive campaign contributions prior to the beginning of the six month period immediately preceding the General Primary Election or Special Election date for the office sought by said Candidate or potential Candidate, or past the date which is six (6) months immediately following said General Primary or Special Election date. Unless otherwise provided all campaign contributions shall include the name, address, occupation and the amount given by the individual.

B. No Personal Use of Contributions. No Candidate or Financial Agent, corporation, legal entity or other person who receives a campaign contribution may convert the contribution to personal use, including any use that primarily furthers individual or family purposes not connected with the performance of duties or activities as a Candidate for elective office. Leftover contributions will be turned over to the Election Commission to be placed in an escrow account to be reserved for the cost of subsequent Cherokee Nation Elections.

C. Prohibition against Intimidation. No Candidate or Financial Agent, corporation, legal entity or other person shall knowingly solicit or accept a contribution or make any expenditure by using anything of value secured by actual or threat of physical force, job discrimination, employment reprisal, employment reward, or financial reprisals.

D. Prohibition related to Cherokee Nation Employees. No Candidate or Financial Agent, corporation, legal entity or other person shall solicit a contribution from an employee of the Cherokee Nation or any other person, including, but not limited to, an employee of any corporation, agency or other entity that is at least fifty-one percent (51%) owned by the Cherokee Nation or any other corporation, agency, or other entity, in exchange for any advantage or promise of an advantage conditioned on making a contribution, or based on reprisal or threat of reprisal related to the failure to make a contribution.

E. Anonymous Contributions. No Candidate or Financial Agent, corporation, legal entity or other person shall accept anonymous contributions exceeding Seven Hundred and Fifty dollars (\$750.00) in aggregate per Election Period. The recipient of total anonymous contributions of more than Seven Hundred and Fifty dollars (\$750.00) shall not keep the

amount which is in excess of Seven Hundred and Fifty dollars (\$750.00) but shall, within two (2) business days of receipt of the contribution that causes the total anonymous contributions to exceed Seven Hundred and Fifty dollars (\$750.00), turn it over the Election Commission for immediate deposit to an escrow account to be reserved for the cost of subsequent Cherokee Nation Elections.

F. Expenditure Records and Receipts. An expenditure of more than one hundred dollars (\$100.00) for campaign purposes shall be made by written instrument drawn upon the campaign account containing the name of the Candidate and the name of the recipient.

G. General Prohibition. No Candidate or Financial Agent, corporation, legal entity or other person shall knowingly accept a campaign contribution or knowingly make or authorize political expenditures that the Candidate or his or her Financial Agent knows to have been made in violation of this Section or § 43 of this Title; nor shall any Candidate, Financial Agent or Citizen offer or provide something of value intended to influence the vote of a Voter of the Cherokee Nation; and no Candidate, Financial Agent or Citizen shall solicit or accept campaign funds or contributions that violates Sections 43 and 44 of this Title.

H. Prohibition against Expenditures for Attorney's Fees. If attorney's fees are paid, such fees must be paid from a Candidate's personal funds, and may not be paid from funds of a campaign account. Provided nothing in this section shall apply to the in-kind fees referenced in Section 43(F).

#### 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.