

Cherokee Nation Code Annotated

Title 26: Elections

Chapter 6: Conduct of Elections

Article II. Voting Generally

§ 63. Voting by Persons with Physical Disabilities or Language Barriers

Cite as: 26 CNCA § 63

A. Inability to Mark Ballot. If a Voter appears at his or her Precinct or the Election Commission during Early Walk-In Absentee Voting and states that he or she, because of a physical disability or infirmity or language barrier, is unable to mark a ballot, the Inspector shall recite the following oath: "Do you solemnly swear or affirm that you are unable to mark your ballot for voting because of a (name of appropriate disability)." After taking the oath, the voter shall be permitted to be assisted by any person of his or her choice, at least eighteen (18) years of age, in voting his or her ballot.

B. Inability to Enter Building. If a Voter is unable to enter the building due to physical disability or infirmity, he or she must send someone inside the Precinct to inform a Precinct Official. Upon notification, the Inspector shall go to the voter in the parking area of the Precinct, and recite the following oath: "Do you solemnly swear or affirm that you are unable to enter the Precinct because of a (name of appropriate disability)." A Precinct Official shall accompany the Inspector with appropriate materials and a ballot, shall present the ballot to the Voter after the Voter has taken the oath. The voter may then mark his or her ballot, and return it to the Precinct Official, who shall deposit it in the Ballot Box or Counting Device inside without viewing the ballot.

C. Witness. All special assistance described herein shall be witnessed by the precinct inspector.

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.