

Cherokee Nation Code Annotated

Title 26: Elections

Chapter 6: Conduct of Elections

Article III. Absentee Voting

§ 78. Return of Absentee Ballots

Cite as: 26 CNCA § 78

A. A Voter shall mark his or her ballot in permanent black or blue ball point ink; seal the ballot in the Secrecy Envelope; fill out completely and sign the Affidavit on the front of the Affidavit Envelope: (i) in the presence of a notary public; or (ii) in the presence of one (1) witness who is eighteen (18) years of age or older, attach to the back of the Affidavit Envelope a copy of a government issued photo identification of both the Voter and witness. The affidavit envelope must be: (a) notarized and the notary seal affixed to the affidavit; or (b) signed by the one (1) witness who is eighteen (18) years of age or older and included, attached to the back of the Affidavit Envelope, a copy of a government issued photo identification of the Voter and witness to be counted; and return the documents inside the postage paid return envelope via the United States mail to the Election Commission. Only those absentee ballots which are mailed to the Election Commission and which reach the Election Commission post office box in Tahlequah, Oklahoma, no later than 12:00 p.m. noon on Election Day shall be counted; provided that personal delivery of an absentee ballot shall be accepted during Early Walk-In In-Person Absentee Voting as provided in 26 CNCA § 62(D) of this Title, on the Friday immediately preceding Election Day from 7:00 a.m. to 7:00 p.m. CST and on the Saturday of the General Election from 7:00 a.m. to 12:00 p.m. noon CST, only if the voter or person designated by the voter delivers the ballot to the Election Commission Office. Voting in person at a Precinct by a voter who has requested an absentee ballot shall be permitted, however, that voter must cast a challenged ballot to allow the Election Commission to determine whether an absentee ballot was cast. In the event that a valid absentee ballot was returned by the voter, the challenged ballot will not be counted. In the event that a valid absentee ballot was not returned by a voter, the challenged ballot will be counted.

B. Cherokee Nation Notary Publics shall not charge a fee for notarizing Cherokee Nation Absentee Ballots.

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 26–14, eff. October 25, 2014; LA 12–16, eff. May 18,

2016; Amended LA 22-20, eff. October 13, 2020; Amended LA 24-20, eff. October 13, 2020.
Amended LA 14-22, eff. May 16, 2022. Amended LA 20-26, eff. June 11, 2026.