

Cherokee Nation Code Annotated

Title 26: Elections

Chapter 6: Conduct of Elections

Article IV. Count and Return of Votes—Recounts and Runoffs

§ 94. Runoffs

Cite as: 26 CNCA § 94

A. Principal Chief and Deputy Principal Chief. There shall be a Runoff Election for the offices of Principal Chief and Deputy Principal Chief for the two top Candidates in each of the respective offices unless one Candidate for each of the respective positions should obtain a simple majority of votes, comprised of fifty (50) percent plus one of the total votes cast for the respective office.

B. Council Districts Seats. In Council Elections there shall be a Runoff Election for the two top Candidates for the particular seat unless one Candidate should obtain a simple majority of votes, comprised of fifty (50) percent plus one of the total votes cast for the respective seat.

C. Tied Council Runoff Elections. In any Council Election race where a Runoff Election results in a tie, the final winner shall be selected by lot. The Election Commission Secretary shall, in full view of those present, clearly write or print the name of each Candidate involved in the tie on separate pieces of paper that are identical in color and size and fold each paper so that the names are not visible. The Secretary shall place the papers in a container selected by the Election Commission. The Election Commission Chairperson or his or her designee shall draw one paper and the name of the Candidate on that paper shall be declared the winner. The Secretary shall then expose the other name or names not drawn to all witnesses present. The drawing shall occur at a public Election Commission meeting in the presence of the Candidates involved or their designees.

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.