

Cherokee Nation Code Annotated

Title 31: Heritage and Culture

Chapter 7: Cherokee Nation Registry of Historic Places

§ 1016. Historic Places Preservation Fund

Cite as: 31 CNCA § 1016

The Council of the Cherokee Nation authorizes the establishment the Historic Places Preservation Fund to support restoration and preservation of properties listed on the Cherokee Nation Register of Historic Places.

A. Composition and funding. The Council authorizes, subject to the appropriation process, the following funding sources for the Historic Places Preservation Fund:

1. One million dollars (\$1,000,000.00) held by the Cherokee Nation Tribal Historic Preservation Office, from revenue received from cultural resource reviews, which shall be transferred into the Historic Places Preservation fund upon the date of enactment of this act or upon such other action as required by law.
2. Effective October 1, 2023, not less than fifty percent (50%) of revenue received by the Cherokee Nation from agricultural and business leases of tribal lands in an amount not to exceed one million dollars (\$1,000,000.00) annually.
3. Not less than fifty percent (50%) of any fines imposed by the Courts of the Cherokee Nation for violations of any provision of the Act.
4. Federal funds, grants, contributions, miscellaneous sources and revenues of enterprises, taxes, and special and general fund sources that may be incorporated into the Fund by the Treasurer of the Cherokee Nation.
5. Any other budget appropriation that the Council of the Cherokee Nation may incorporate into the Fund from time to time.

B. Cumulative Funding. All funds placed into the Historic Places Preservation Fund by operation of the Act, or subsequent appropriations by the Council of the Cherokee Nation, shall remain in the Historic Places Preservation Fund in subsequent fiscal years; absent express statutory language enacted to the contrary.

C. Funding Eligibility. Any property listed on the Cherokee Nation Register of Historic Places may be eligible for funding from the Historic Places Preservation Fund; provided that:

1. The Secretary shall develop a process for evaluating and prioritizing properties listed on the Cherokee Nation Register of Historic Places for preservation and/or maintenance work consistent with the purposes of the Act.
2. The Secretary shall cause preservation and/or maintenance support to be performed by departments or entities of the Cherokee Nation, third-party vendors, or direct grants to organizations or individuals that own or operate a property listed on the Cherokee Nation Register of Historic Places.
3. Where the subject property is owned by an organization or individual, the Secretary is authorized to negotiate such deed restriction or other instruments to reasonably protect Cherokee Nation's investment in the subject property and the perpetual maintenance of the property as an historic site.
4. The Secretary shall provide the Council of the Cherokee Nation an annual report of funds disbursed from the Historic Property Preservation Fund and the amount and source of remaining funds.
5. Any administrative costs incurred by the Secretary or other department or entity of the Cherokee Nation implementing the policies and purposes of this Section, may be paid or reimbursed from the Historic Property Preservation Fund.

Historical Data

LA 07-23, eff. March 22, 2023. Originally directed to be codified at Title 31, Chapter 5, Section 1013; renumbered to Chapter 7, Section 1016 during codification because more appropriate location.