

Cherokee Nation Code Annotated
Title 34: Initiative and Referendum
Chapter 1: Referendum and Initiative Procedures
§ 15. Filing copy of proposed petition
Cite as: 34 CNCA § 15

When a citizen or citizens desire to circulate a petition initiating a proposition of any nature, whether to become a law or an amendment to the Constitution, or for the purpose of invoking a referendum upon legislative enactments, such citizen or citizens shall, when such petition is prepared, and before the same is circulated or signed by electors, file a true and exact copy of same in the office of the Election Commission and, within ninety (90) days after such filing of an initiative petition, the signed copies thereof shall be filed with the Election Commission, but the signed copies of a referendum petition shall be filed with the Secretary of State within ninety (90) days after the adjournment of the Tribal Council enacting the measure on which the referendum is invoked. The electors shall sign their legally registered name, their address or post office box, and Cherokee Nation Registry identification number. Any petition not filed in accordance with this provision shall not be considered. The proponents of a referendum or an initiative petition, any time before the final submission of signatures, may withdraw the referendum or initiative petition upon written notification to the Election Commission.

The proponents of a referendum or an initiative petition may terminate the circulation period any time during the ninety- (90) day circulation period by certifying to the Election Commission that:

1. All signed petitions have already been filed;
2. No more petitions are in circulation; and
3. The proponents will not circulate any more petitions.

If the Election Commission receives such a certification from the proponents, the Commission shall begin the counting process.

When the signed copies of a petition are timely filed, the Election Commission shall certify to the Supreme Court of Cherokee Nation:

1. The total number of signatures counted pursuant to procedures set forth in this Title; and
2. The total number of votes cast for the office receiving the highest number of votes cast at the last general election.

The Supreme Court shall make the determination of the numerical sufficiency or insufficiency of the signatures counted by the Election Commission, all in accordance with Article XV, Section 3 of the Cherokee Nation Constitution.

Historical Data

LA 16–01, eff. June 15, 2001. Amended LA 19–01, eff. June 15, 2001; LA 15–04, eff. April 19, 2004.