

Cherokee Nation Code Annotated

Title 67: Records

Chapter 2: Freedom of Information and Privacy Rights

§ 103. Definitions

Cite as: 67 CNCA § 103

For purposes of this Title:

1. **"Meeting"** means the convening of a quorum of the constituent membership of a public body, whether corporal or by means of electronic equipment, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power.
2. **"Person"** includes any individual, corporation, partnership, firm, organization, or association.
3. **"Public Body"** means any Cherokee Nation board, commission, agency, authority, any public or governmental body or political subdivision of the Nation, including any organization, corporation, or agency supported in whole or in part by public funds under the authority of the Cherokee Nation or expends public funds under the care of the Nation, including committees, subcommittees, advisory committees, and the like of any such body by whatever name known, and includes any quasi-governmental body of the Nation, the business enterprises of the Nation and its political subdivisions, including, without limitation, bodies such as the Public Service Authority, the Port Authority, and any corporation for profit or non-profit.
4. **"Public Record"** includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body. Records such as income tax returns, medical records, hospital medical staff reports, law enforcement investigative files and names of confidential informants, scholastic records, adoption records, records related to registration, and circulation of library materials which contain names or other personally identifying details regarding the users of public, private, school, college, technical college, university, and state institutional libraries and library systems, supported in whole or in part by public funds or expending public funds, or records which reveal the identity of the library patron checking out or requesting an item from the library or using other library services, except nonidentifying administrative and statistical reports of registration and circulation, and other records which by law are required to be closed to the public are not considered to be made open to the public under the provisions of this Act. Nothing herein requires a public body to retain documents past the timeframes

required under IRS guidelines or other applicable federal or tribal laws. All applicable timeframes concerning the retention of documents shall be made available to the public.

5. **"Quorum"** for regular session of the Council means two-thirds (2/3) of members thereof regularly elected and qualified shall be in attendance. For all other meetings, unless otherwise defined by applicable law, quorum means a simple majority of the constituent membership of a public body.

6. **"Tribal Council"** means one legislative body called the Council of the Cherokee Nation. This body consists of seventeen (17) members, who are members of the Cherokee Nation.

Historical Data

LA 25-01, eff. September 14, 2001. Amended LA 16-14, eff. June 20, 2014.