

TABLED

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: FEB 06 2025

ORDINANCE NO.: 390 (2025)

An ordinance to prohibit anyone from harboring, concealing, or assisting another person who has been banished from the Tribe

Whereas, Tribal Council has exclusive authority to banish or exclude persons from Cherokee Lands; and

Whereas, in Cherokee Code section 2-10, Tribal Council expresses its intent to prohibit anyone from harboring, concealing, or assisting someone who has been banished from Tribal lands; and

Whereas, to help effectuate Tribal Councils intent, and allow for the prosecution of section 2-10 of the Cherokee Code, that section needs to be amended and codified in and existing section of Chapter 14 of the Code.

NOW THEREFORE BE IT ORDAINED, by the Tribal Council of the Eastern Band of Cherokee Indians, in council assembled that the Cherokee Code is hereby amended as follows:

Sec. 14-70.24. Harboring, concealing, or Aiding the unlawful obtaining of services by excluded persons.

(a) It shall be unlawful for any person to aid or assist a person who has been excluded from Tribal lands pursuant to law to:

(1) Harbor, conceal, or transport while on Tribal lands; or

(1) Attempt to secure or to unlawfully secure any tribal benefit or service; or

(2) Apply for or attempt to claim any right, privilege or immunity by virtue of membership in the Eastern Band of Cherokee Indians except as provided by law.

(b) Harboring, concealing or Aiding the unlawful obtaining of services by an excluded person shall be punishable by a fine of \$5,000.00, and by imprisonment for a term not to exceed one year, a fine of \$5,000.00, or both. A person convicted of aiding the unlawful obtaining of services by an excluded person under this section shall serve a mandatory minimum sentence of 30 days imprisonment, which shall not be suspended.

1 BE IT FINALLY ORDAINED, that all ordinances and resolutions inconsistent with this ordinance
2 are rescinded, and this ordinance shall become effective upon ratification by the
3 Principal Chief.

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5 *Submitted by: Office of the Attorney General.*

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