



**CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA**

Date: _____

ORDINANCE NO. _____ (2026)

An ordinance to require proposed amendments to Chapter 92 and 95 to be submitted to TERO for review before being submitted to Tribal Council.

WHEREAS, Cherokee Code (C.C.) Chapter 92 expresses the Tribal Business Preference Law, also known as the TERO law, which provides a contracting preference for businesses owned by enrolled members of the EBCI; and

WHEREAS, Article II of C.C. Chapter 95 expresses the Tribal Employment Preference Law, which provides a hiring preference for enrolled members of the EBCI; and

WHEREAS, these laws enhance opportunities for Tribal member businesses and individuals and are an assertion of Tribal sovereignty; and

WHEREAS, whenever amendments to these two laws are proposed, the amendments should be examined with care by the bodies responsible for enforcing the laws, and therefore these laws should be amended to require submission of such amendments to the TERO Commission and TERO Director.

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that Cherokee Code Section 92-3 shall be amended to read as follows, and Cherokee Code Article II of Chapter 95, shall be amended by adding thereto a new section, to be designated as Section 95-27, to read as follows:

Sec. 92-3. - Application of chapter.

- (a) This chapter applies to contracts offered by the Eastern Band of Cherokee Indians and all of its divisions, programs, offices, subdivisions and enterprises, and subcontracts offered pursuant thereto. It does not apply to private business arrangements in which the Eastern Band, or any division, program, office, subdivision or enterprise of the Eastern Band, is not involved.
- (b) Except as provided in subsection (a), this chapter is binding on all economic entities operating within the territory of the Tribe, whether or not they are doing so at that time this chapter is implemented.
- (c) Proposed amendments to this Chapter 92 (Business Preference Law) shall be submitted to the TERO Commission and the TERO Director for review before being presented to Tribal Council.

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95-27. – Review of proposed amendments.

Proposed amendments to this Article II (Employment Preference Law) of Chapter 95 shall be submitted to the TERO Commission and the TERO Director for review before being presented to Tribal Council.

BE IT FINALLY ORDAINED that all ordinances that are inconsistent with this ordinance are rescinded, and that this ordinance shall become effective when ratified by the Principal Chief.

Submitted by Jacob Crowe, TERO Director.