(Amended as of 05/15/2026)

CHICKASAW NATION CODE

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SECTION 2-101.1 DIVISION OF POWERS OF GOVERNMENT.

In accordance with the Constitution, the powers of the government are divided into three (3) departments:

1. A Legislative Department, consisting of the Tribal Legislature;

2. An Executive Department, consisting of the Governor and Lieutenant Governor; and

3. A Judicial Department, consisting of a three (3) member Supreme Court of Tribal Justices and such inferior courts as the Legislature shall ordain and establish in the development, maintenance and administration of a Tribal Justice System.

SECTION 2-101.2 RECOGNITION BY THE SECRETARY OF INTERIOR.

In accordance with Title 25 of the United States Code, Section 450, the "Indian Self-Determination and Education Assistance Act," the Chickasaw Nation is duly recognized by the United States Secretary of the Interior as a self-governing, sovereign government.

SECTION 2-101.3 GOVERNMENT OFFICES.

The administrative offices of the Nation are located at the Nation Headquarters in Ada, Oklahoma.

SECTION 2-101.4 HOLIDAYS. HOURS.

A. The administrative offices of the Nation are open for business between 8:00 a.m. and 5:00 p.m. Monday through Friday, except on holidays.

B. The following federal holidays are observed by the Nation:

1. New Year's Day;
2. George Washington's Birthday (President's Day);
3. Memorial Day;
4. Independence Day;
5. Labor Day;
6. Veteran's Day;
7. Thanksgiving Day;
8. Christmas Day.

Other holidays may be declared by the Governor. (TL5-001, 2/19/88)

C. The second Monday of October of each year shall continue to be an official holiday of the Chickasaw Nation which shall be designated "Piomingo Day". (PR12-03, 10/21/94)

SECTION 2-101.5 AMBASSADOR CREATED.

The Chickasaw Tribal Legislature hereby establishes the position of Ambassador, with such position being designated as a public officer of the Chickasaw Nation, empowered with diplomatic powers normally associated with such positions and with such limited authorities to transact business between the Chickasaw Nation and other governments as may be specifically designated, all subject to the direction given by the Governor, with each such position appointed by the Governor, subject to the advice and consent of the Chickasaw Tribal Legislature.
(PR12-11, 3/17/95)

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SECTION 2-201.1 CONSTITUTIONAL AUTHORITY.

A. This Chickasaw Nation shall consist of all Chickasaw Indians by blood whose names appear on the final rolls of the Chickasaw Nation approved pursuant to Section 2 of the Act of April 26, 1906, (34 Stat. 137) and their lineal descendants.

B. The Tribal Legislature shall have the power to enact ordinances governing future citizenship and loss of citizenship in the Chickasaw Nation. (Article II, Sections 1 and 2, Constitution of the Chickasaw Nation, 8/27/83)

SECTION 2-201.2 PREAMBLE.

BE IT ENACTED by the Tribal Legislature of the Chickasaw Nation, assembled to establish Future Citizenship Ordinances & Loss of Citizenship Ordinances, Rules & Regulations in accordance with Article II of the Constitution of the Chickasaw Nation, to be called "The Chickasaw Nation Citizenship Act of 1994". (TL11-014, 9/16/94)

SECTION 2-201.3 AUTHORITY.

The Chickasaw Nation Citizenship Act of 1994 is authorized by Section 2, Article II, of the Constitution of the Chickasaw Nation and deals strictly with rights and procedures for future citizenship and loss of citizenship, not specifically addressed by Section 1, Article II, of the Constitution of the Chickasaw Nation. (TL11-014, 9/16/94)

SECTION 2-201.4 DEFINITIONS.

Words and phrases as used herein, shall be defined as follows:

1. "The Chickasaw Nation" means the Government of the Chickasaw Nation or all Chickasaw Indians by blood whose names appear on the final rolls of the Chickasaw Nation as approved pursuant to Section 2 of the Act of April 26, 1906, (34 Stat. 137), and their lineal descendants as stated in Section 1, Article II of the Constitution of the Chickasaw Nation.

2. "Constitution" means the Constitution of the Chickasaw Nation as ratified by the qualified electors of the Chickasaw Nation on August 27, 1983.

3. "Chickasaw Citizen" means one who is listed as a Chickasaw on the final rolls of the Chickasaw Nation as approved pursuant to the Act of April 26, 1906, (34 Stat. 137) and their lineal descendants, and others who meet the requirements for citizenship contained in this Act, who are, subsequently, granted citizenship in the Chickasaw Nation.

4. "Certificate of Degree of Indian Blood" or referred to as "CDIB" means the official document issued by the Bureau of Indian Affairs (BIA) stating a person's degree of Indian blood. The CDIB, indicating a person’s possession of Chickasaw blood, shall serve as proof of citizenship in the Chickasaw Nation.

5. "Office of Tribal Citizenship" means the office designated by the Chickasaw Nation to receive and process applications for and issuances of designations of citizenship in the Chickasaw Nation, pursuant to the provisions of the Constitution and applicable Tribal Laws of the Chickasaw Nation. (PR12-02,10/21/94; PR13-19, 9/6/96)

SECTION 2-201.5 QUALIFICATION OF FUTURE CITIZENSHIP.

A person who can show that at least one of his or her natural parents is a Chickasaw as defined by the Constitution of the Chickasaw Nation, is eligible for Citizenship. Adoption of such

person by others, whether Chickasaw or not, shall not alter the Chickasaw citizenship eligibility of such person. (PR12-02,10/21/94)

SECTION 2-201.6 QUALIFICATION FOR CITIZENSHIP OF CHICKASAW MIXED- BLOOD.

Any person who applies for citizenship who otherwise qualifies for citizenship, but who has been enrolled as a citizen of another Indian tribe or tribes, may become a citizen of the Chickasaw Nation; provided that such person shall relinquish, in writing, such citizenship or membership in the other Indian tribe or tribes and file such writing with the Chickasaw Nation. (PR12-02,10/21/94)

SECTION 2-201.7 DOCUMENTATION OF CITIZENSHIP.

A. Each Chickasaw person, currently registered to vote as a citizen of the Chickasaw Nation in conformance with the election rules and regulations of the Chickasaw Nation, shall be issued a citizenship card with no further application necessary.

B. Any other person to whom a Certificate of Degree of Indian Blood has been issued, denoting Chickasaw Indian Blood, as a lineal descendent of an enrollee on the Chickasaw Rolls by Blood of the Dawes Commission Rolls, shall be a citizen of the Chickasaw Nation, and the act of applying for the CDIB shall be considered an application for citizenship. Cancellation of a CDIB file as provided for under the Federal Rules and Regulations governing the issuance of such certificates shall be grounds for the loss of citizenship in the Chickasaw Nation.

C. Any direct descendent of an enrollee on the Chickasaw Rolls by Blood of the Dawes Commission Rolls who has not yet received a CDIB shall, first, be issued a CDIB under the federal regulations governing the issuance of a CDIB.

D. Any direct descendent of an enrollee on the Chickasaw Rolls by Blood of the Dawes Commission Rolls whose enrollment does not reflect a specified blood quantum, may make application for citizenship under the same requirements established under the Federal Rules and Regulations governing the issuance of a CDIB.
(PR12-02,10/21/94; PR13-19, 9/6/96)

SECTION 2-201.8 APPLICATIONS FOR CITIZENSHIP.

A. The voter application for each current registered voter of the Chickasaw Nation shall be used in lieu of a citizenship application.

B. All minors, incompetents and those not currently registered to vote in tribal elections who meet any of the documentation requirements for citizenship, must make application for citizenship in order to be considered for citizenship in the Chickasaw Nation. The parent, legal guardian or lawful sponsor of a minor or incompetent may make application for citizenship in the Chickasaw Nation on behalf of a minor or incompetent. If it is determined that a person possesses Indian blood of more than one tribe, a complete statement of relinquishment for the other tribe(s) must be attached to the application.

C. The citizenship application will contain the pertinent information needed to verify citizenship. In the case of applicants who are 18 years of age or older, the application will contain necessary information to register such applicant as a voter in the Chickasaw Nation should such applicant desire to register to vote, and so long as such applicant meets all the other requirements set out in the Constitution and Tribal Laws of the Chickasaw Nation for voter registration.
(PR12-02, 10/21/94)

SECTION 2-201.9 PROCESSING OF THE APPLICATION.

A. Each application for citizenship shall be duly verified through utilization of the CDIB files. All CDIB files will have a CDIB computer file number which is automatically assigned for all files. Each application will show the CDIB computer file number, voter registration number (if applicable), the date the file was verified and the signature of the verifying official.

B. For those descendants of the enrollees on the Chickasaw Rolls by Blood whose enrollment did not reflect a specified blood quantum, the same documentation which is required for the issuance of a CDIB card will be required for consideration of citizenship in the Chickasaw Nation and attached to the citizenship application.
(PR12-02, 10/21/94)

SECTION 2-201.10 ACTIONS OF THE CHICKASAW NATION ON REJECTED APPLICANTS.

A. The Office of Tribal Citizenship or the person so designated to receive and process applications for citizenship in the Chickasaw Nation shall provide the Clerk of the Tribal Court, a list of the names of all the rejected applicants, and certify to the Tribal Court that written notice of rejection has been sent to the applicant.

B. The Office of Tribal Citizenship or the person designated to receive and process applications for citizenship in the Chickasaw Nation may dispose of the file of each rejected

applicant after one (1) year from the date of rejection, or upon notification by the Tribal Court that a rejected applicant has been denied a court hearing; or, that the decision of the Chickasaw Nation on rejection of the applicant for citizenship has been confirmed by the Tribal Court, should such action be initiated by a rejected applicant. (PR12-02, 10/21/94)

SECTION 2-201.11 ACTIONS OF THE TRIBAL COURTS.

A. The Chickasaw Tribal Court shall prepare a file of each rejected applicant for Chickasaw citizenship, when a rejected applicant requests a hearing by the Tribal Court. The Tribal Court shall have 30 days from the date of the request for a hearing to enter an order granting or denying such hearing. At the end of a 30 day grace period, the Clerk of the Tribal Court shall certify to the Chickasaw Nation the name of those rejected applicants who have petitioned the Tribal Court for a hearing on their rejected application, but who are being denied a hearing; and, those rejected applications on which the Tribal Court has granted a hearing and the date of such hearing.

B. The Tribal Court shall maintain each rejected applicants file in each case that is pending before the Tribal Court, until ultimate disposition of each case is determined.

C. The Tribal Court, at their discretion, may dispose of any file on a rejected applicant who has been denied a hearing and who does not have any other avenue of appeal from the decision of the Tribal Court. The Tribal Court shall so notify the Chickasaw Nation of such disposition.

D. The Tribal Court shall inform the Chickasaw Nation of each rejected applicant in which the Tribal Court has determined that citizenship in the Chickasaw Nation has been confirmed by the Tribal Court.
(PR12-02, 10/21/94)

SECTION 2-201.12 EFFECTS OF DECISIONS.

The decision of the Tribal Court, at the conclusion of all appeals, shall be final.
(PR12-02, 10/21/94)

SECTION 2-201.13 CITIZENSHIP CARD.

A. Upon a persons verification of citizenship in the Chickasaw Nation, said person shall be issued a "Citizen of the Chickasaw Nation" citizenship card, issued by the Chickasaw Nation, which shall, as a minimum, contain the following:

1. Name of Citizen and Date of Birth (if known).

2. The citizenship card shall bear a control number that the Chickasaw Nation shall use to insure the integrity and validity of the citizenship card; and, the card shall be imprinted with the Seal of the Chickasaw Nation in confirmation of Citizenship.

3. The person designated for receiving and processing citizenship cards of the Chickasaw Nation shall certify, in writing, to the appropriate official of other Indian Nations the identity of a person of Indian mixed-blood who has declared his or her Chickasaw citizenship. The Indian mixed-blood Chickasaw shall counter-endorse such writing before a citizenship card is issued to such mixed-blood Chickasaw.

(PR12-02,10/21/94)

SECTION 2-201.14 RECORDS.

A. All records of all Chickasaw citizens and applicants are confidential and may be used, only, in accordance with official business of the Chickasaw Nation.

B. Upon receipt of appropriate documentation, the Chickasaw Nation is authorized to update the information of an applicant or citizen. The following information is deemed acceptable for documentation:

1. Name change by marriage, divorce, or court decree.

2. Written and signed statement of applicant or citizen of a change of address.

3. Record of Death by Death Certificate, BIA Records, Mortuary Records, Hospital Records, Obituary Notice from a newspaper, written and signed statement from a relative (in the absence of previous stated documentation), written and signed statement from someone who attended the funeral and who can document the grave location and date of death, or by court decree.

(PR12-02,10/21/94)

SECTION 2-201.15 LOSS OF CITIZENSHIP.

A. Any citizen of the Chickasaw Nation, who is eighteen 18 or older, may relinquish such citizenship in writing, to the Chickasaw Nation, which must be signed by the maker and notarized. In lieu of being notarized, the maker's signature can be confirmed by the signing of two (2) witnesses. Such relinquishment shall become effective on the date it is received by the

Chickasaw Nation.

B. A legal guardian of a minor or incompetent may request the relinquishment of such minor's or incompetent's citizenship upon documented proof to the office of Tribal Registration that the guardian has legal custody of the minor or the incompetent.

C. A citizen of the Chickasaw Nation who is discovered to have been erroneously conferred citizenship in the Chickasaw Nation, pursuant to the provisions of this Act or the Constitution of the Chickasaw Nation shall be subject to revocation of citizenship in the Chickasaw Nation under the following provisions:

Said citizen shall be notified by certified mail, return receipt requested, by the Chickasaw Nation of the intent to revoke citizenship and the information that brought the action. Such notice shall include the date for the hearing which shall be no less than thirty (30) days, and that the matter will be heard by the Tribal Court as a review panel on that date in informal session, and that such citizen may appear to show cause why citizenship should not be revoked. Failure of the citizen to appear at the scheduled hearing shall be accepted by the review panel that such citizen shall abide by that panel's decision. The decision of the review panel shall be final.
(PR12-02,10/21/94)

SECTION 2-201.16 EFFECTIVE DATE.

This law shall become effective on the date that it is duly adopted as law in accordance with the provisions of the Constitution and laws of the Chickasaw Nation. (PR12-02,10/21/94)

CHAPTER 3
CEREMONIES, CUSTOM AND LANGUAGE

Section 2-301.1 Chickasaw Nation Annual Meeting.
Section 2-301.2 Chickasaw Honor Guard.
Section 2-301.3 Chickasaw Burial Policy.
Section 2-301.4 Maintenance/Preservation of Cemeteries.

SECTION 2-301.1 CHICKASAW NATION ANNUAL MEETING.

The Annual Meeting of the Chickasaw Nation shall be held in Tishomingo, Oklahoma. (GR92-72, 4/18/92)

SECTION 2-301.2 RESERVED.

(GR10-88, 6/21/93; PR42-002, 12/20/2024)

SECTION 2-301.3 CHICKASAW BURIAL POLICY.

Reserved. (PR15-005, 1/20/98; PR17-024, 8/18/00; GR32-024, 5/15/15)

SECTION 2-301.4 MAINTENANCE/PRESERVATION OF CEMETERIES.

A. The Chickasaw Tribal Legislature hereby authorizes and approves funding in the amount of thirty thousand dollars ($30,000) from the General Fund for maintenance and preservation of Chickasaw cemeteries within the Chickasaw Nation.

B. The thirty thousand dollars ($30,000) will be appropriated each fiscal year to said budget and shall include carried over funds. (PR15-020, 6/19/98)

CHAPTER 4
OFFICERS AND EMPLOYEES OF THE NATION

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Section 2-401.7 Vacancies in Elected Office.
Section 2-401.8 Legal Protection for Officers and Employees of the Nation.
Section 2-401.9 Insurance for Elected Officials Who Leave Office.

SECTION 2-401.1 OFFICERS ESTABLISHED, QUALIFICATIONS.

A. The officers of the Nation shall include all elective officials.

B. Officers shall have the qualifications prescribed by the Constitution and enactments of the Nation.

SECTION 2-401.2 OATH OF OFFICE.

A. Every officer of the Nation, before entering upon the duties of his office, shall take the oath or affirmation of office prescribed by the Constitution.

B. The oath of office shall be taken on October 1 or the first regular working day of October. If October 1 is on a weekend or holiday or if circumstances beyond the control of the official taking the oath precludes him from being sworn in at that time, the oath of office shall be taken at the earliest possible time convenient and practicable.
(GR5-85, 6/22/88)

SECTION 2-401.3 WHO MAY ADMINISTER OATHS.

A person selected by the Chickasaw Election Commission may administer oaths and affirmations. (TL6-002, 4/7/89

SECTION 2-401.4 REMOVAL OF OFFICERS.

The power to remove an elected officer shall be as authorized by the Constitution.

SECTION 2-401.5 TERMS OF OFFICE.

The following elected officers of the Nation shall serve for the terms respectively indicated for that officer and shall serve until his successor is duly elected and installed:

Officer		Term
1.	Legislator	3 years
2.	Governor and Lieutenant Governor	4 years
3.	Supreme Court Justice	3 years

SECTION 2-401.6 VACANCY DEFINED.

An elected office shall be deemed vacant from and after the occurrence of any of the following events before the expiration of a term of office:

1. death of the person holding the office;

2. resignation of the person holding the office;

3. removal from office by impeachment, recall, or other method authorized by the Constitution or laws, of the person holding the office; and

4. ceasing to meet any of the qualifications of office, including but not limited to residency requirements.

SECTION 2-401.7 VACANCIES IN ELECTED OFFICE.

A. In the case of death, resignation, impeachment or recall of the Governor, the Lieutenant Governor shall immediately become Governor for the remainder of the unexpired term. The Governor shall appoint a successor to serve the unexpired term of the Lieutenant Governor by and with the advice and consent of the Legislature.

B. In the event of vacancies occurring in the Tribal Court or Tribal Legislature, a special election shall be held within sixty (60) days of the vacancy, or reasonably delayed until the next regularly scheduled election for that position. The vacancy shall be filled by popular vote.

C. In the event of vacancies occurring in the Tribal Court or Tribal Legislature, a special election shall be held within sixty (60) days of the vacancy, or reasonably delayed until the next regularly scheduled election for that position. The vacancy shall be filled by popular vote.

SECTION 2-401.8 LEGAL PROTECTION FOR OFFICERS AND EMPLOYEES OF THE NATION.

The Chickasaw Tribal Legislature extends full and complete tribal protection, legal defense, and indemnification to all officials of the judicial, executive and legislative departments, employees and/or agents of the Chickasaw Nation during any and all times that those officials, employees and/or agents are engaged in activities that are in full keeping with their assigned, mandated or delegated tasks as officials, employees and/or agents of the Chickasaw Nation. Such protections shall include providing legal protections and legal defenses for those persons who may be the subject of a lawsuit or in other actions brought against them as individuals or as officials, employees and/or agents of the Chickasaw Nation, and costs for such actions are authorized to be paid by the respective departments' annual budgets. This in no way impacts the ability of the Chickasaw Nation to claim sovereign immunity in any court while providing any such defense. Any such defense shall be managed through the Executive Department or a named designee of same. (GR 8-58, 3/19/91; PR 8-05, 4/25/91; GR 8-79, 6/27/91; PR30-002, 11/16/12)

SECTION 2-401.9 INSURANCE FOR ELECTED OFFICIALS WHO LEAVE OFFICE.

A. **Definitions:**

1. "Insurance" shall mean life, health and dental insurance as provided by the Chickasaw Nation to its employees/elected officials under the plan in effect at the time of death or retirement of the elected official or as such plan may change throughout the remainder of the time this measure shall be applied.

2. "Retirement" shall mean leaving office, whether by design or by happenstance.

3. "Year" shall mean any portion of a year served by an elected official.

B. **Death:** Should an elected or retired official die, and at the time of his death he is carrying dependents on his health and dental insurance, the Nation shall pay to carry the spouse until their death or remarriage. Any other dependents on the plan will be covered in accordance with the insurance plan guidelines.
(PR43-005; 04/20/2026)

C. **Retirement:** Upon an elected official's retirement or loss of office by other than recall petition or impeachment, he shall be entitled to continue to be eligible to receive life, health and dental insurance according to the following scale:

1. Upon leaving office and after completion of twelve (12) years in any elected office, insurance shall be a paid benefit for the official throughout the remainder of the official's lifetime. An official may reject the benefit at any time; however, once the benefit has been rejected, it shall not be recommenced.

2. Upon leaving office and after completion of nine (9) years in any elected office, insurance shall be made available as an option to the retiring official at fifty percent (50%) of the cost of such policies, as part of any benefits package that may be offered to such retired officials; however, should the costs of such policies be raised or lowered, the fifty percent (50%) share cost to the official shall be raised or lowered proportionately. An official may reject the benefit at any time; however, once the benefit has been rejected, it shall not be recommenced.

3. Upon leaving office and after completion of six (6) years in any elected office, insurance shall be made available as an option to the retiring official at seventy-five percent (75%) of the cost of such policies, as part of any benefits package that may be offered to such retired officials; however, should the costs of such policies be raised or lowered, the seventy-five percent (75%) share cost to the official shall be raised or lowered proportionately. An official may reject the benefit at any time; however, once the benefit has been rejected, it shall not be recommenced.

D. **Effective Date; Grandfather Clause.**

1. The Effective Date of this resolution is the first day of the month following the month it was enacted by the Legislature and concurred with by the Governor or otherwise passed into law.

2. All officials serving in any elected office on the Effective Date and all officials elected after the Effective Date shall be given credit for all years served in any elected office under the Chickasaw Constitution of 1983, even if such years were served prior to the Effective Date. All former elected officials who have served in any elected office for at least twelve (12) years under the Chickasaw Constitution of 1983, even when all such years were served prior to the Effective Date, shall be entitled to insurance in accordance with this Section.

(PR25-010, 7/18/08; PR26-001, 12/19/0

ARTICLE B
SALARIES OF OFFICERS

Section 2-402.1 Title.
Section 2-402.2 Finding.
Section 2-402.3 Definitions.
Section 2-402.4 Authority.
Section 2-402.5 Judicial Department Salaries.
Section 2-402.6 Legislative Department Salaries.
Section 2-402.7 Executive Department Salaries.
Section 2-402.8 Reimbursable Costs.
Section 2-402.9 Repeal of Prior Legislation.
Section 2-402.10 Effective Date.

SECTION 2-402.1 TITLE.

Be it enacted by the Tribal Legislature of the Chickasaw Nation assembled, that this Act may be cited as the "Salary Review Act of 1991." (TL9-001, 10/23/91)

SECTION 2-402.2 FINDING.

The Legislature finds that a need exists for the review of salaries paid elected officials of the Chickasaw Nation in accordance with Article VII, Section 11 of the Constitution of the Chickasaw Nation as amended August 22, 1990. (TL9-001, 10/23/91)

SECTION 2-402.3 DEFINITIONS.

For the purpose of this Act:

1. "The Chickasaw Nation" means the tribe of Indians located within the boundaries set forth in the Constitution of the Chickasaw Nation, being duly recognized by the Secretary of the United States Department of the Interior, as a self-governing, sovereign government;

2. "Constitution" means the Constitution of the Chickasaw Nation as ratified by the voters of the Chickasaw Nation on August 27, 1983;

3. "Chickasaw Tribal Legislature" or "Legislature" means the Legislative Branch of the Chickasaw Nation Tribal Government as created and empowered by Articles V, VI, VII, VIII, and IX of the Constitution;

4. "Chairperson" means that officer of the Legislature as defined in Article VII, Sections 1 and 2 of the Constitution; (TL9-001, 10/23/91)

5. "Presiding Judge" means that officer of the Tribal Court as defined in Article XII, Section 4 of the Constitution;

6. "Legislator" means a member of the Chickasaw Tribal Legislature;

7. "Lieutenant Governor" means that officer of the Chickasaw Nation Tribal Government as defined in Article X and Article XI of the Constitution;

8. "Governor" means that officer of the Chickasaw Nation Tribal Government as defined in Article X, Sections 1, 2, 3, 4, 5, and 6, and in Article XI, Sections 1, 2, 3, and 4 of the Constitution;

9. "Judge" means an official of the Chickasaw Nation as defined in Article XII and XIII of the Constitution;

10. "Prescribe" means to impose as a peremptory order, to give law or to direct.

SECTION 2-402.4 AUTHORITY.

A. The basis for authority of this Act is Article VI, Section 1 of the Constitution, wherein the Legislature is granted the legislative authority of the Chickasaw Nation. In Article VII, Section 4, the Legislature is granted the power and authority to enact rules and regulations pertaining to the Chickasaw Nation. In Article VII, Section 11, "The Tribal Legislature shall have the power to fix and prescribe salaries and allowances for all elected or appointed officials and employees of the Nation. The Tribal Legislature shall review said salaries and allowances every fourth year and shall increase or decrease as necessary."

B. The Chickasaw Tribal Legislature, with the adoption of this Act, hereby establishes the procedures whereby annual salaries for all elected officials of the Chickasaw Nation shall be reviewed and revised in accordance with Article VII, Section 11 of the Constitution.

C. The Executive, Legislative, and Judicial Departments shall be recognized as coequal and independent in the exercise of their respective powers and duties. All elected officials serving in any of these departments shall accrue credit for each year of service rendered, which shall be duly recognized for the purposes of calculating salary and benefits. Such recognition of service shall be applied uniformly and equitably, without regard to the specific department in which the service was performed.
(TL9-001, 10/23/91; PR43-007, 05/15/2026)

SECTION 2-402.5 JUDICIAL DEPARTMENT SALARIES.

The salary of each Justice of the Supreme Court shall be the sum of eight thousand dollars ($8,000) per month, plus a five percent (5%) increase to the salary for each year of service which has been completed as a Justice of the Supreme Court under the Constitution of 1983. In addition,

annually, the Chickasaw Nation shall contribute an amount equal to thirty percent (30%) of each Justice's total annual salary to a retirement/investment plan, as directed by the Justice. The Justice that is elected to serve as Chief Justice shall receive an additional five hundred dollars ($500) per month for the duration of time in which he serves in that capacity. (PR20-028, 9/19/03; PR24-010, 9/21/07; PR28-005, 8/19/11; PR36-010, 9/20/2019; PR40-001, 12/15/2023)

SECTION 2-402.6 LEGISLATIVE DEPARTMENT SALARIES.

A. The base salary for all Tribal Legislators shall not include any travel allowances, but travel reimbursement expenses shall be in accordance with legislative travel policies. Tribal Legislators are entitled to a salary and allowances in accordance with Amendment IV of the Constitution of the Chickasaw Nation. (PR12-33, 9/15/95; PR13-01, 10/20/95)

B. The salary of the Legislators shall be the sum of nine thousand dollars ($9,000) per month, plus a five percent (5%) increase to the salary for each year of service which has been completed as a Tribal Legislator under the Constitution of 1983. In addition, annually, the Chickasaw Nation shall contribute an amount equal to thirty percent (30%) of the Legislator's total annual salary to a retirement/investment plan, as directed by the Legislator. (PR36-010, 9/20/2019)

1. The Chairperson or the Chairperson Pro Tempore of the Tribal Legislature shall receive an additional five hundred dollars ($500) per month for the duration of the time in which he serves in that capacity.

2. The Secretary or the Secretary Pro Tempore of the Tribal Legislature shall receive an additional two hundred dollars ($200) per month for the duration of the time in which he serves in that capacity.

(PR20-028, 9/19/03; PR28-005, 8/19/11)

C. **RESERVED**

(PR20-001, 10/18/02)

SECTION 2-402.7 EXECUTIVE DEPARTMENT SALARIES.

A. The salary of the Lieutenant Governor shall be the sum of six hundred thousand dollars ($600,000) per annum, plus a five percent (5%) increase to the salary for each year of service completed as Lieutenant Governor under the Constitution of 1983. In addition, annually, the Chickasaw Nation shall contribute an amount equal to thirty percent (30%) of the Lieutenant Governor's total annual salary to a retirement/investment plan, as directed by the Lieutenant Governor. (PR36-010, 9/20/2019)

B. The salary of the Governor shall be the sum of one million, two hundred thousand dollars ($1,200,000) per annum, plus fifty thousand dollars ($50,000) per annum for each term of office completed as Lieutenant Governor and Governor under the Constitution of 1983, prior to October 1, 2019, plus a five (5%) increase to the salary for each year of service completed as Governor thereafter. In addition, annually, the Chickasaw Nation shall contribute an amount equal to thirty percent (30%) of the Governor's total annual salary to a retirement/investment plan, as directed by the Governor. (PR20-028, 9/19/03; PR24-012, 9/21/07; PR28-005, 8/19/11; PR36-010, 9/20/2019)

SECTION 2-402.8 REIMBURSABLE COSTS.

All salaries and benefits of all elected officials shall be paid from tribal funds; however, any costs allowable under federal law to be reimbursed from federal sources for activities and/or actions taken by the tribal government or its employees, shall be billed on a monthly basis to the Tribe's indirect cost pool or, in such cases as are allowable and lawful, to the appropriate federal program, grant or contract. The Finance Department, under the supervision of the Governor, shall be responsible for compliance with this Section. (TL9-001, 10/23/91)

SECTION 2-402.9 REPEAL OF PRIOR LEGISLATION.

All prior legislation which is in conflict with PR12-33 is hereby repealed. (PR12-33, 9/15/95)

SECTION 2-402.10 EFFECTIVE DATE.

These provisions, as amended, shall not go into effect until October 1, 2003. (PR20-028, 9/19/03)

CHAPTER 5
EMPLOYEES AND PERSONNEL POLICIES

ARTICLE A
CHICKASAW INDIAN EMPLOYMENT PREFERENCE

Section 2-501.01 Discrimination Prohibited; Employment Preference.
Section 2-501.02 Definition.

SECTION 2-501.01 DISCRIMINATION PROHIBITED; EMPLOYMENT PREFERENCE.

There shall be no discrimination against employees or applicants for employment. Notwithstanding this provision, preference for employment shall be given in the following order as permitted by applicable law:

1. Chickasaw Veteran;
2. Chickasaw Citizen;
3. Applicant with Chickasaw Spouse and/or Chickasaw Dependent(s);
4. American Indian Veteran;
5. American Indian;
6. Veteran; and
7. other Applicant.

(TL 5-001, 2/19/88; PR36-002, 12/21/2018)

SECTION 2-501.02 DEFINITIONS.

For the purpose of Articles A and C of this Chapter 5:

A. "American Indian" means a person who has been granted citizenship in a federally-recognized Indian tribe.

B. "Applicant" means an applicant for employment.

C. "Chickasaw Citizen" means one who has been granted citizenship in the Chickasaw Nation.

D. "Dependent(s)" means an adopted or biological Chickasaw child and at least one of the following applies:

1. the Chickasaw child is below the age of eighteen (18) years of age and resides in the same household;

2. the Chickasaw child is currently enrolled at a college or university, qualifies as a dependent for income tax purposes and whose age is up to twenty-six (26) years; or

3. the Chickasaw child is continuously disabled and remains dependent.

E. "Spouse" means a person's lawfully married husband or wife.

F. "Veteran" means a person who has been discharged or released from active duty in the United States Armed Forces, National Guard or Reserves under honorable conditions.

(PR36-002, 12/21/2018)

ARTICLE B
POLITICAL ACTIVITIES OF EMPLOYEES

Section 2-502.01 Authority.
Section 2-502.02 Definitions.
Section 2-520.03 Employee rights.

SECTION 2-502.01 AUTHORITY.

This is to establish, and to clarify, Employee rights and to ensure Employee protection as said rights and needs for protection relate to Political Activity.

1. Be it enacted by the Tribal Legislature of the Chickasaw Nation here assembled that this Act be cited as the "Chickasaw Nation Employee's Political Rights Reform Act of 1993."

2. The Legislature finds that:

a. a need exists for the Chickasaw Tribal Legislature to establish and protect the right of a tribal Employee, and any member(s) of his family, to express his/their opinion, both privately and publicly, on political issues and candidates; and

b. a need exists for the Chickasaw Tribal Legislature to establish and protect the right of a tribal Employee, and any member(s) of his family, not to be subjected to the exercise of **any** coercion, solicitation, influence, interest, or Political Activity, of **any** sort, directly or indirectly, by any candidate, elected official, appointed official, other Employee, or any Agent of any candidate, elected official, appointed official, or other Employee, while on Duty Status, whether in Assigned Work Areas or not.

3. The basis of authority for this Act is Article VI, Section 1 of the Constitution, wherein the Legislature is granted the legislative authority of the Chickasaw Nation, and in Article VII, Section 4 wherein the Legislature is granted the power and authority to enact rules and regulations pertaining to the Chickasaw Nation, and Article IV, Section 4, wherein the right of every citizen to speak, write, or publish his opinions is protected, provided said right is not abused, and Article XIII Section 1 wherein the Tribal Legislature may confer jurisdiction upon the Judicial Department. The Legislature, with the adoption of this Act, hereby:

a. repeals all previous resolutions, laws and enactments which pertain to Employee political rights;

b. amends all previous resolutions, laws and enactments which pertain to tribal Employees;

c. amends all previous resolutions, laws and enactments which pertain to appointed officials;

d. amends all previous resolutions, laws and enactments which pertain to elected officials;

e. confers other jurisdiction upon the Judicial Department; and

f. designates an offense that shall place an elected official in jeopardy of sanction.

(TL10-005, 7/23/93)

SECTION 2-502.02 DEFINITIONS.

For the purpose of this Act:

1. "Political Activity," as used herein, shall mean any activity whatsoever that communicates a political message of any sort, directly or indirectly, regarding tribal politics.

2. "Assigned Work Areas," as used herein, shall mean any physical location on any real property where any persons are working or conducting business of any sort for compensation by the Chickasaw Nation.

3. "Duty Status," as used herein, shall mean any work being done or any business being conducted, of any sort, by any person, in any location, for compensation by the Chickasaw Nation.

4. "Employee," as used herein, shall mean any person, except for elected officials, full-time or part-time, employed or contracted by, and receiving any compensation from, the Chickasaw Nation.

5. "Compensatory Time," as used herein, shall mean time and a half off, with pay, in exchange for time in excess of forty (40) hours per calendar week.

6. "Agent," as used herein, shall mean any person who is designated by, authorized by, represents, or acts for or in the place of, another.

7. "Required," as used herein, shall mean directed, ordered, demanded, instructed, commanded, compelled, requested, or coerced, as a condition of continued employment.

8. "Violation of this Act," as used herein, shall mean any action of any sort, directly or indirectly, calculated to curtail any rights or protections established by this act.

SECTION 2-502.03 EMPLOYEE RIGHTS.

A. With this Act, the Chickasaw Tribal Legislature:

1. establishes and protects the right of a tribal Employee, and any member(s) of his family, to express his/their opinion, both privately and publicly, on political issues and candidates for public office;

2. establishes and protects the right of a tribal Employee, and any member(s) of his family, not to be subjected to the exercise of any coercion, solicitation, influence, interest, or action of a political nature, of any sort, directly or indirectly, by any candidate, elected official, appointed official, other Employee, or any Agent of any candidate, elected official, appointed official, or other Employee, while on duty, whether in Assigned Work Areas or not;

3. establishes and protects any tribal Employee from:

a. being Required to engage in any Political Activity whatsoever, directly or indirectly, while on Duty Status, whether in Assigned Work Areas or not;

b. being Required to engage in any Political Activity whatsoever, directly or indirectly, while in Assigned Work Areas, whether on Duty Status or not;

c. being Required to use his official authority or influence over subordinates, directly or indirectly, for the purpose of affecting the result of any tribal election;

d. Being Required to engage in any Political Activity whatsoever,

directly or indirectly, while on Compensatory Time off or while on leave status with pay;

e. being Required to contribute compensation, gifts, loans, entertainment, favors, time, goods, services, ideas, information, influence, opinions, or any other thing of any value, directly or indirectly;

f. being Required to solicit, receive, collect, handle, disburse or account for any funds whatsoever for a partisan political purpose;

g. being Required to organize, promote, or participate in, a fund-raising activity for a partisan political purpose, whether directly or indirectly;

h. being Required to announce his candidacy for a political office until after resigning;

I. being Required to act as a watcher;

j. being Required to endorse or oppose a candidate for public office in any political advertisement, broadcast, campaign literature, or any similar material; and

4. establishes and protects the above rights of a tribal Employee and any member(s) of his family, if said Employee or any member(s) of his family is an elected official.

5. Employees shall not be subjected to any adverse employment decision because of failure to support or choosing to support any particular candidate.

B. Any Political Activity not proscribed by this Act shall be protected as an Employee's right.

1. Any coercion, influence, interest, or action of any sort, directly or indirectly, by any candidate, elected official, appointed official, other Employee, or the Agent of any candidate, elected official, appointed official, or other Employee, that is calculated to curtail said right and/or any rights and protections established by this act, shall be a Violation of this Act.

2. Any Violation of this Act by any elected official, or by the Agent of said elected official, shall place said elected official in jeopardy of sanction.

3. Any Violation of this Act by any candidate other than an elected official, or by the Agent of said candidate, shall be an offense for which said candidate or Agent shall be barred from all Assigned Work Areas until the election for which said candidate has filed is over.

4. Any Violation of this Act by any appointed official, or by the Agent of said appointed official, shall be cause for removal of said appointed official.

5. Any Violation of this Act by any Employee, or by the Agent of said Employee, shall result in the immediate dismissal of said Employee.

C. The Tribal Court shall have the jurisdiction to hear a Petition, filed by an Employee of the Chickasaw Nation, based upon violation(s) of the Chickasaw Nation Employee's Political Rights Act. The Court shall, by majority vote, determine the validity of the Petition. By its ruling, the subsequent enforcement of this Act shall be carried out by the use of tribal and/or federal officials or policemen.

D. Should a question arise regarding the administration or implementation of this Act, the Tribal Legislature shall generate an amendment or an addendum to this Act addressing same, to become part of this act upon approval.
(TL10-005, 7/23/93; PR16-021, 5/24/99)

ARTICLE C
PERSONNEL RULES AND REGULATIONS

Section 2-503.01 Title.
Section 2-503.02 Scope and Authority.
Section 2-503.03 Adoption of Policies.
Section 2-503.04 Merit and Unlawful Discrimination.
Section 2-503.05 General Employment Policies.
Section 2-503.06 Leave with Pay.
Section 2-503.07 Other Forms of Leave.
Section 2-503.08 Selection and Management of Applicants.
Section 2-503.09 Personnel Management.
Section 2-503.10 Termination and Appeals.
Section 2-503.11 Performance Reviews.
Section 2-503.12 Compensation, Benefits and Grievances.
Section 2-503.13 Conflicts of Interest.
Section 2-503.14 Severability and Preemption.
Section 2-503.15 Sovereignty.

SECTION 2-503.1 TITLE.

This article shall be known as the "Chickasaw Nation Personnel Act of 2013." (TL 5-001, 2/19/88; PR31-001, 11/19/13)

SECTION 2-503.2 SCOPE AND AUTHORITY.

A. The leadership of each of the three Departments of government of the Chickasaw Nation, as defined in Article V, Section 1 of the Chickasaw Constitution, have the authority to promulgate policies and procedures applicable to the employees of that respective Department of the Chickasaw Nation. The Governor has recommended the legislative adoption and codification of the provisions listed in this Act in order to promote fairness, transparency and accessibility for all employees.

B. This Act shall apply to all employees of the Chickasaw Nation that are covered by the merit system. The merit system shall be applicable to all regular employees, but does not include elected officials or appointed members of the Governor's staff. Non-merit employees include, but are not limited to, elected officials, those employees holding appointed positions, and those working in positions supervised or appointed directly by the Governor and/or the Lieutenant Governor.

C. This Act does not apply, and conveys no benefits associated with employment, to anyone retained as an independent contractor by either the Nation or by any separately incorporated entities, regardless of whether the entity is owned or managed by the Nation or its subsidiaries.

SECTION 2-503.3 ADOPTION OF POLICIES.

All tribal employment policies related to the management of Chickasaw Nation employees are adopted and established by the Executive, Legislative or Judicial Departments of the Chickasaw Nation. Each Department will share tribal employment policies with the other to enable accurate administration of those policies. All tribal employment policies will remain available to all employees for review in a manner and format that will enable reasonable access by employees.

SECTION 2-503.4 MERIT AND UNLAWFUL DISCRIMINATION.

A. The employment and compensation of employees shall be based upon merit, ability, and fairness.

B. The Chickasaw Nation shall not unlawfully discriminate against applicants for employment. Notwithstanding this provision, preference for employment shall be given in the following order as permitted by applicable law:

1. Chickasaw Veteran;
2. Chickasaw Citizen;
3. Applicant with Chickasaw Spouse and/or Chickasaw Dependent(s);
4. American Indian Veteran;
5. American Indian;
6. Veteran; and
7. other Applicant.

(PR36-002, 12/21/2018)

SECTION 2-503.5 GENERAL EMPLOYMENT POLICIES.

A. The leadership of each Department of the Chickasaw Nation government, as defined in Section 2-503.02(A), determines the organizational structure of that respective Department and establishes tribal employment policies for the management of their respective tribal employees.

B. Each employee shall be given the authority necessary to perform his or her duties.

C. The duties and responsibilities of every position shall be established in writing. Employees will be expected, at a minimum, to perform the duties specified in their job descriptions, as well as other duties as assigned.

D. Each employee's work performance shall be evaluated annually, to the extent practical. This process shall be administered through tribal employment policies.

E. The standard work week of the Chickasaw Nation shall be 40 hours per week for full time employees. Provided, the actual working hours for employees may vary based upon the requirements of each position.

F. Issues of tardiness and nepotism shall be determined according to tribal employment policies.

G. Issues of holidays, including the dates on which holidays occur and the conditions upon which an employee shall be eligible to receive holiday pay, shall be determined according to tribal employment policies.

H. Issues pertaining to employee ethics shall be determined according to tribal employment policies, or any other applicable tribal law.

SECTION 2-503.6 LEAVE WITH PAY.

All matters involving annual, sick, maternity, medical, administrative, military, enforced and education leave will be determined according to tribal employment policies.

SECTION 2-503.7 OTHER FORMS OF LEAVE.

All matters involving leave for court and jury service, administrative and professional leave, and furloughs shall be handled according to tribal employment policies.

SECTION 2-503.8 SELECTION AND MANAGEMENT OF APPLICANTS.

All matters involving the selection of applicants, employee orientation periods, employee

classification, and employee conduct shall be determined according to tribal employment policies.

SECTION 2-503.9 PERSONNEL MANAGEMENT.

All matters involving personnel actions, promotions, demotions, transfers, new positions, terminations, suspensions, reductions in force, resignations, and assignments to special duty shall be determined according to tribal employment policies.

SECTION 2-503.10 TERMINATIONS AND APPEALS.

All matters involving terminations and appeals shall be determined according to tribal employment policies. Merit employees have the right to appeal terminations through an administrative appeals process to be established through tribal employment policies.

SECTION 2-503.11 PERFORMANCE REVIEWS.

All matters involving employee performance reviews shall be determined according to tribal employment policies.

SECTION 2-503.12 COMPENSATION, BENEFITS AND GRIEVANCES.

All matters involving employee compensation, outside employment honorariums, fringe benefits, and grievances, shall be determined according to tribal employment policies.

SECTION 2-503.13 CONFLICTS OF INTEREST.

All matters involving conflicts of interest and allegations thereof shall be determined according to tribal employment policies or applicable tribal law.

SECTION 2-503.14 SEVERABILITY AND PREEMPTION.

A. If any of the provisions of this Act are ruled by the Chickasaw Judicial Department to be in violation of the Chickasaw Constitution or are otherwise found to be invalid, then such provisions shall be stricken from this Act and the remainder of the Act shall continue to be in full force and effect.

B. For the purposes of this Act, if any provision of this Act conflicts with any other section of the Chickasaw Nation Code, whether such conflicting section was enacted before or after the passage of this Act, the provision of this Act shall control and be binding.

SECTION 2-503.15 SOVEREIGNTY.

A. Nothing contained in this Act shall be construed to waive or otherwise diminish the inherent sovereign rights of the Chickasaw Nation or any of its Departments including, but not limited to, the right of sovereign immunity in the Chickasaw Nation courts or any other court.

B. Nothing contained in this Act shall be construed to limit either the inherent or delegated powers of self-government of the Chickasaw Nation as a federally recognized tribal government.

ARTICLE D
LEGISLATIVE DEPARTMENT PERSONNEL RULES AND REGULATIONS

Section 2-504.1 Responsibility.
Section 2-504.2 Department Policies.

SECTION 2-504.1 RESPONSIBILITY.

The Chairperson shall have the responsibility for all personnel actions regarding Legislative Department employees. The Chairperson shall have the authority to reorganize work assignments, create positions, abolish positions, change titles and prescribe or change the duties and responsibilities or salaries and classification assigned to any position or employee as needed. The Chairperson shall look to the employee policies of the Legislative Department for guidance.

SECTION 2-504.2 DEPARTMENT POLICIES.

The Chairperson shall appoint an *ad hoc* committee on a yearly basis to review and recommend to the Legislature amendments to the Legislative Department employee policies if needed.

ARTICLE E
TRIBAL ENTERPRISES/BUSINESSES
PERSONNEL RULES AND REGULATIONS

(RESERVED)
(PR31-001, 11/19/13)

ARTICLE F
JUDICIAL DEPARTMENT PERSONNEL RULES AND REGULATIONS

Section 2-506.1 Responsibility.
Section 2-506.2 Department Policies.

SECTION 2-506.1 RESPONSIBILITY.

The Supreme Court shall have the responsibility for all personnel actions regarding Judicial Department employees. The Supreme Court shall have the authority to reorganize work assignments, create positions, abolish positions, change titles and prescribe or change the duties and responsibilities or salaries and classification assigned to any position or employee as needed. The Supreme Court shall look to the employee policies of the Judicial Department for guidance.

SECTION 2-506.2 DEPARTMENT POLICIES.

The Supreme Court shall review and make amendments to the Judicial Department employee policies, if needed.

ARTICLE G
RIGHT TO WORK

Section 2-507.1 Short Title.
Section 2-507.2 Participation in Labor Organization as Condition of Employment Prohibited.

SECTION 2-507.1 SHORT TITLE.

This Title 2, Chapter 5, Article G shall be known and may be cited as the "Right to Work Act of 2005" ("Act"). (PR22-003, 11/19/04)

SECTION 2-507.2 PARTICIPATION IN LABOR ORGANIZATION AS CONDITION OF EMPLOYMENT PROHIBITED.

A. As used in this Act, "Labor Organization" means any organization of any kind, or agency or employee representation committee or union, that exists for the purpose, in whole or in part, of dealing with employers concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.

B. No person shall be required, as a condition of employment or continuation of employment to:

1. resign or refrain from voluntary membership in, voluntary affiliation with, or voluntary financial support of a Labor Organization;

2. become or remain a member of a Labor Organization;

3. pay any dues, fees, assessments, or other charges of any kind or amount to a Labor Organization;

4. pay to any charity or other third party, in lieu of such payments, any amount equivalent to or pro rata portion of dues, fees assessments, or other charges regularly required of members of a Labor Organization; or

5. be recommended, approved, referred, or cleared by or through a Labor Organization.

C. It shall be unlawful to deduct from the wages, earnings, or compensation of an employee any union dues, fees, assessments, or other charges to be held for, transferred to, or paid over to a Labor Organization unless the employee has first authorized such deduction.

D. The provisions of this Act shall apply to all employment contracts entered into after the effective date of this Act and shall apply to any renewal or extension of any existing contract.

E. The courts of the Chickasaw Nation are vested with authority through injunctive relief to enforce the provisions of this Act. Any contract or agreement entered into in violation of this Act shall be declared by the courts of the Nation to be null and void upon application by proper case filing and judicial review. Any violation of this Act may be prosecuted by the Nation against any legal entity, by petition and case filing with trial before a tribal judge with a civil burden of proof for civil fine and/or judgment of up to $5,000.00 for any violation of this Act. Any writing addressed to the Nation and delivered thereto, shall be deemed consent to the jurisdiction of the Nation for purposes of this Act.

F. No part of this Act shall be deemed to waive the sovereign immunity of the Nation or consent to the jurisdiction of any federally created entity.

CHAPTER 6
TRAVEL POLICY

ARTICLE A
LEGISLATIVE TRAVEL POLICIES

Section 2-601.1 Authority.

SECTION 2-601.1 AUTHORITY.

A. The Legislative Committee of the Chickasaw Nation Tribal Legislature shall define and establish a Legislative Travel Policy for the Chickasaw Tribal Legislature.

B. Regarding Legislative travel, such forms as are required by the Finance Department in the filing and payment of travel claims or advances shall be utilized. Such travel claims and advances shall be paid from the budgeted funds of the Chickasaw Tribal Legislature without unreasonable delay.

C. The Legislative Travel Policy and the rules of administration shall apply only to the Chickasaw Tribal Legislators and any others the Chickasaw Tribal Legislature may, otherwise, designate.
(PR13-06, 3/15/96; PR27-005, 6/18/10)

ARTICLE B
GENERAL TRAVEL POLICY

Section 2-602.1 Travel Policy for Employees and Officials.

SECTION 2-602.1 TRAVEL POLICY FOR EMPLOYEES AND OFFICIALS.

Whenever an elected tribal official or employee of the Chickasaw Nation, not paid from a federal or state program, is in proper and approved travel status, he may choose one of the following options:

1. The per diem rate shall be calculated using the actual lodging amount plus the government rate for meals and miscellaneous expenses; or

2. If such individual chooses, he or she may submit receipts for the actual expenses involved.

(GR6-28, 12/21/88; PR24-009, 6/20/07)

CHAPTER 7
ETHICS

ARTICLE A
CHICKASAW NATION ETHICS COMMISSION

Section 2-701.1 Commission Created.
Section 2-701.2 Appropriation; Compensation; Staff.
Section 2-701.3 Duties and Responsibilities.
Section 2-701.4 General Rules of Procedure.
Section 2-701.5 Enforcement.
Section 2-701.6 Appeals.

SECTION 2-701.1 COMMISSION CREATED.

A. There is hereby created a Chickasaw Nation Ethics Commission ("Commission"). The Commission shall be comprised of three (3) members who shall elect a Chairperson from among their number at their first meeting in each calendar year. Members shall be Chickasaw Citizens in accordance with tribal membership provisions included in Article II, Section 1 of the Constitution. Commissioners shall be nominated and confirmed in accordance with Title 2, Chapters 10 & 11, Article A of the Code of the Chickasaw Nation, and Article XI, Section 2 of the Constitution. The Commission shall be within the Executive Department; however, the Commission shall make its decisions without interference from any of the three departments of tribal government, any officer or employee thereof, or any other person not sitting on the Commission. (PR43-001, 02/20/2026)

B. Commissioners shall serve for a term of three (3) years with an anniversary date of October 1. Commissioners shall be reappointed, or a replacement shall be appointed, at least sixty (60) days prior to the expiration of the term. Once the full Commission is seated, Commissioners shall draw lots to determine which of the members shall serve a one (1) year term, to be called Seat 1, two (2) year term, to be called Seat 2, or three (3) year term, to be called Seat 3. Thereafter, all members shall serve full three (3) year terms, with one (1) seat becoming vacant each subsequent year.
(PR41-012, 06/21/2024)

C. Members of the Commission may resign at any time but may be removed only for cause. Vacancies occurring on the Commission shall be filled in the same manner as described and defined in Subsection A above. Vacancies shall be filled for the remainder of the respective term.

D. No current public official or employee of the Nation shall serve on the

Commission. No Commissioner shall be eligible for elected office for one (1) year after completing his term. (PR42-000, 03/21/2025)

SECTION 2-701.2 APPROPRIATION, COMPENSATION, STAFF.

A. The Commission shall receive an annual appropriation included in the annual tribal budget sufficient to enable it to perform its duties as set forth herein. Any funds appropriated to the Commission which remain unspent at the end of the fiscal year shall be returned to the General Fund.

B. The Commission shall present its proposed budget through the Executive Department to the office of Governor of the Chickasaw Nation in accordance with established protocol.

C. Commissioners shall receive reimbursement for travel, lodging and meals while on official business as provided by Chickasaw Nation policy; otherwise, Commissioners shall not be compensated.

D. The Commission may employ or retain staff sufficient to support and maintain an office in a location provided by the Judicial Department. (PR43-001, 02/20/2026)

SECTION 2-701.3 DUTIES AND RESPONSIBILITIES.

In accordance with all powers and authority as provided in this Act and elsewhere in the Chickasaw Nation Code, the Commission shall have the specific duties, responsibilities and authority to:

1. Provide written advisory opinions, when required by law or deemed by the Commission to be necessary; to guide conduct and address specific questions when requested by those within its purview and provide written decisions when hearing complaints, challenges or any other matter as provided by Chickasaw law.

2. Conduct administrative hearings to hear complaints and determine violations or noncompliance with the Chickasaw Nation Ethics in Government Act of 2002 and other ethics laws as prescribed by the Chickasaw Code.

3. Dismiss any complaint which the Commission determines has insufficient facts to constitute a violation of, or is in noncompliance with, the Chickasaw Nation

Ethics in Government Act of 2002 Act or other Chickasaw law; or provides insufficient evidence to support the allegations; or is otherwise outside the authority of the Commission.

4. Impose or recommend any sanctions, civil damages, restitution, or other penalties against those found in violation as provided herein or as otherwise prescribed in the Chickasaw Nation Code, as well as recommend or direct corrective, mitigating, or preventative actions as it deems necessary and appropriate.

5. Issue a written opinion or decision detailing the finding of facts and reasoning, or lack thereof, of any issue heard by the Commission to the Complainant and other interested parties including the Governor and Legislature.

6. When it deems appropriate, refer matters to other Governmental Bodies for investigation, prosecution, or other resolution.

7. Adopt miles, policies or procedures to fulfill its duties and support its operations as necessary. (PR43-001, 02/20/2026)

SECTION 2-701.4 GENERAL RULES OF PROCEDURE.

A. Unless otherwise provided by Chickasaw law, no action shall be brought more than two (2) years after such cause of action has occurred or been discovered, whichever occurs later.

B. All Commission matters are confidential unless otherwise required or allowed by law or deemed by the Commission to be in the best interest of the Chickasaw Nation.

C. Complaints must be submitted to the Commission in writing and include the following: the Complainant's name and contact information; a statement of the facts; the date(s) of the alleged violation(s); a reference to the ethics provision(s) believed to have been violated; the name of the Respondent(s); the name and contact information of any potential witnesses and a brief statement of their knowledge; and certification from the Complainant that they have personal knowledge of the facts alleged and the information provided in the complaint is true and accurate to the best of their ability.

D. The Commission shall provide notice of an administrative hearing to the parties to a hearing via certified mail, return receipt requested and posted no later than ten (10) business days in advance of the hearing. The notice shall include the hearing date, time and location, as well as the reason for the hearing.

E. Failure to appear at a scheduled hearing without good cause may result in a dismissal of the complaint or the entering of a decision without further proceedings.

F. A Complainant or their legal representative shall present the complaint. Complainant(s) and Respondent(s) who are the subject of ethics complaint(s) have the right to present evidence, to testify on their own behalf, question witnesses against them and call witnesses to testify in support of their respective causes.

G. The burden of proof shall be on the Complainant and decisions will be made according to preponderance of the evidence.

H. Two (2) Commissioners shall constitute a quorum; decisions shall be made by majority vote. In the event only two (2) Commissioners are present, decisions shall be made by unanimous vote. When a required Recusal of one or more Commissioners inhibits the Commission's ability to function, the Governor may invoke a necessity exception, either allowing the participation of any recused Commissioner in the matter or temporarily appointing one or more alternate Commissioners to address the specific matter. (PR43-001, 02/20/2026)

SECTION 2-701.5 ENFORCEMENT.

All decisions issued by the Commission shall be enforced by the appropriate department. (PR42-003, 03/21/2025)

SECTION 2-701.6 APPEALS.

A. The Chickasaw Nation District Court shall have jurisdiction to hear all appeals from decisions of the Commission. (PR42-003, 03/21/2025)

B. Pursuant to the procedures for appeal provided by Title 5, Chapter 1, Articles B, Section 5-102.1 of the Chickasaw Nation Code, a Notice of Intent to Appeal and Petition for Appeal, as defined in Title 5, Chapter 1, Article B of the Chickasaw Nation Code, shall be filed with the District Court within thirty (30) days of the issuance of a decision of the Commission or such appeal will be barred.

A. All appeals to the Court shall be heard *de novo*. (PR20-011, 6/20/03)

ARTICLE B
CHICKASAW NATION
ETHICS IN GOVERNMENT ACT

Section 2-702.1 Title.
Section 2-702.2 Authority.
Section 2-702.3 Legislative Purpose and Intent.
Section 2-702.4 Definitions.
Section 2-702.5 Standards of Conduct and Restricted Activities of Public Officials and Employees of the Nation.
Section 2-702.6 Sanctions; Penalties; Legal Liabilities.
Section 2-702.7 Severability.
Section 2-702.8 Prior Law and Policies Superseded.
Section 2-702.9 Effective Date.

SECTION 2-702.1 TITLE.

Be it hereby enacted by the Chickasaw Tribal Legislature, that this Act shall be cited as the "Chickasaw Nation Ethics in Government Act of 2002" (hereinafter referred to as this "Act"). This Act shall be codified at Title 2, Chapter 7, Article B of the Code of the Chickasaw Nation.

SECTION 2-702.2 AUTHORITY.

This Act is hereby promulgated pursuant to Article VII, Section 4 of the Chickasaw Nation Constitution whereby "The Tribal Legislature shall enact rules and regulations pertaining to the Chickasaw Nation."

SECTION 2-702.3 LEGISLATIVE PURPOSE AND INTENT.

A. **Purpose.**

The government of the Chickasaw Nation is founded upon the consent of the governed and Chickasaw Citizens are entitled to have complete confidence in the loyalty and integrity of their government. The purpose of this Act, therefore, is to increase accountability to Chickasaw Citizens by their elected, appointed and assigned Public Officials and Employees of the Nation in exercising the authority vested or to be vested with them as a matter of public trust, by:

1. Establishing and requiring adherence to standards of conduct to avoid conflict of interest, or appearance of conflict of interest, as the use of Public Offices, Employment or property, tribal or U.S. Government, for private gain, the granting and exchange of favored treatment to persons, Businesses or organizations; and the conduct of activities by Public Officials and Employees of the Nation which permits opportunities for private gain or advantage to influence government decisions; and

2. Requiring Public Officials and Employees of the Nation to Recuse from using any function of their office or duties in a manner which could place, or appear to place, their personal economic or special interests before the interests of the Chickasaw Nation. (PR43-001, 02/20/2026)

B. **Intent.**

It is the intent of the Chickasaw Tribal Legislature that the provisions of this Act be construed and applied in each instance so as to accomplish its purposes of protecting Chickasaw Citizens from government decisions and actions resulting from, or affected by, undue influences or conflict of interest. (PR43-001, 02/20/2026)

SECTION 2-702.4 DEFINITIONS.

As used in this Chapter:

1. “Affinity” means the relation among a person and the family of such person's spouse because of marriage. The degrees of Affinity are computed as are the degrees of Consanguinity.

2. “Business” includes any enterprise, organization, trade, occupation or profession whether or not operated as a legal entity for profit, including any Business, trust, holding company, corporation, partnership, joint venture, or sole proprietorship, Consultant or other self-employed enterprise. "Business" also includes any Business in which a person subject to this Act or a member of such person’s Immediate Family is a director, officer, partner, trustee or Employee, holds any position of management or receives Compensation or Income in any form such as wages, commission, direct or indirect investment worth more than $1,000 or holds any ownership, security or other beneficial interest, individually or combined, amounting to more than ten percent (10%) of said Business.

3. "Candidate" shall include any person who has publicly announced an intent to campaign for Public Office, initiated fundraising activities or received funds for such campaign, authorized promotion for such campaign, or filed a declaration of candidacy or a petition to appear on the ballot for election for Public Office.

4. “Chickasaw Nation” or “Nation” means the tribe of Indians located within the boundaries set forth in the Constitution of the Chickasaw Nation, being duly recognized by the Secretary of Interior of the United States of America, as a self governing, sovereign government. “Chickasaw Nation” or “Nation” is used herein to describe the lands and people of the Chickasaw Nation.

5. “Citizens” means any Chickasaw Indians by blood, whose names appear on the final rolls of the Chickasaw Nation approved pursuant to Section 2 of the Act of April 26, 1906 (34 Stat. 137) and their lineal descendants.

6. “Commission” means the Chickasaw Nation Ethics Commission.

7. “Compensation” or “Income” means any money or thing of value received, or to be received as a claim on future services, whether in the form of a fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form of recompense or any combination thereof.

8. "Complainant" means the person or entity that files a complaint with the Commission alleging violations of this Act or other provisions within the purview of the Commission.

9. “Confidential Information” means information which by law or practice is not available to the public at large or is deemed Confidential by a Governmental Body.

10. “Conflict of Interest” means the reasonable foreseeability or appearance that any personal interest or Economic Interest of a Public Official or Employee of the Nation will be affected in any materially different manner from the interest of the general public, by any decision, enactment, agreement, award or other official action or function of any Governmental Body or political subdivision of the Nation.

11. “Consanguinity” means relationship by blood; kinship.

12. “Consultant” means a person who gives professional or expert advice or services for Compensation or Income.

13. “Constitution” means the Constitution of the Chickasaw Nation as ratified by the voters of the Chickasaw Nation on August 27, 1983, and amendments thereto.

14. "Court" means the Chickasaw Nation District Court or Chickasaw Nation Supreme Court, whichever is the court of competent jurisdiction at the time the cause of action is first presented to the Commission.

15. "Employee" means any person or entity working for, or rendering or exchanging any services or performing any act for or on behalf of another person, organization or entity in return for any form of pay or other Compensation or Income or any other thing of value received or to be received anytime temporarily, permanently or indefinitely, in any capacity; whether as agent, servant, representative, Consultant, advisor, independent contractor or otherwise.

16. "Employment" means the status or relationship existing or created by and between a person designated or acting as an Employee and the person, organization, group or other entity for whom or on whose behalf any such work, acts, services or other benefit has been, is being or will be rendered or performed for pay or any other form of Compensation or Income.

17. "Economic Interest" means an interest held by a person subject to this Act and/or members of such person's Immediate Family which is:

a. any ownership, Compensation or Income, investment, security or other beneficial interest in a Business, or

b. any Employment or prospective Employment for which negotiations have already begun.

18. "Gift" includes any gratuity, special discount, favor, hospitality, payment, loan, subscription, economic opportunity, advance, deposit of money, services, or other benefit received without equivalent consideration.

19. "Governmental Body" means any branch, entity, enterprise, authority, division, department, office, commission, council, board, bureau, committee, legislative body, agency, and any other establishment of the Executive, Legislative, and/or Judicial Department of the Nation.

20. "Immediate Family" includes spouse, father, mother, child, brother or sister or other person when identified as such by tribal customs and traditions or by proper and appropriate authorities.

21. "Ministerial Action" means an action that a Public Official or Employee of the Nation performs in a given state of facts in a prescribed manner in obedience to a mandate of legal authority, without regard to, or in the exercise of, such person's own judgment upon the propriety of the action being taken.

22. "Official Act or Official Action" means any function of any Governmental Body, vote, decision, recommendation, approval, disapproval, enactment, agreement, award, or other action, including inaction, that involves the use of discretionary authority. "Official Act" or "Official Action" does not include Ministerial Action.

23. "Pecuniary" means monetary; relating to money; financial; consisting of money or that which can be valued in money.

24. "Public Office" means those offices and positions which are elective or appointed in any Governmental Body of the Nation.

25. "Public Official" means any person holding a Public Office; and any person who has been nominated by a Public Official or Governmental Body for appointment to serve in any public capacity, position or office, but who has not yet been seated in such public capacity, position or office.

26. "Recuse or Recusal" means to remove oneself from all participation in a matter, including but not limited to, deliberation, discussion, deciding or voting on, sponsoring, influencing or attempting to influence a matter.

27. "Respondent" means an individual or entity against whom a complaint is filed.

28. "Special Interest Organization" includes a Business, group, or other organization seeking to or intending to influence Governmental Body policies, legislation, or Official Acts. (PR43-001, 02/20/2026)

SECTION 2-702.5 STANDARDS OF CONDUCT AND RESTRICTED ACTIVITIES OF PUBLIC OFFICIALS AND EMPLOYEES OF THE NATION.

A. Conduct in Conformity with Applicable Rules and Laws.

Public Officials and Employees of the Nation shall at all times conduct themselves so as to reflect credit upon the Chickasaw Nation and government and comply with all applicable laws of the Chickasaw Nation with respect to their conduct in the performance of the duties of their respective office or Employment.

B. General Prohibitions; Conflicts of Interest.

1. No Public Official or Employee of the Nation shall use, attempt to use, or appear to use or attempt to use, any official or apparent authority of their office or duties which places, or could reasonably be perceived as placing, their or their Immediate Family's private economic gain or that of any special Business interests with which they are associated, before those of the Nation whose paramount interest their office or

Employment is intended to serve.

2. It is the intent of this Subsection that Public Officials and Employees of the Nation of the Chickasaw Nation avoid any action, whether or not specifically prohibited herein, which could result in, or create an appearance of:

a. using Public Office for private gain;

b. giving preferential treatment to any person or special interest organization;

c. impeding governmental efficiency or economy;

d. losing or compromising complete independence or impartiality of actions;

e. making a government decision outside official channels; and/or

f. adversely affecting the confidence of Chickasaw Citizens in the integrity of the government of the Chickasaw Nation.

C. **Use of Confidential Information for Private Gain.**

No Public Official or Employee of the Nation shall use or disclose Confidential Information gained in the course of, or by reason of, their official position or activities to further their private Economic Interest or personal interest or that of anyone else.

D. **Restrictions Against Incompatible Interests or Employment.**

1. Public Officials and Employees of the Nation shall not:

a. have direct or indirect financial or other Economic Interests nor engage in such other Employment or economic activity which, as determined in accordance with the provisions of this Act and other applicable laws of the Chickasaw Nation, necessarily involves inherent substantial conflict, or has the appearance of involving such inherent substantial conflict, with their responsibilities and duties as Public Officials or Employees of the Nation of the Chickasaw Nation; nor

b. engage in, directly or indirectly, financial or other economic transactions as a result of, or primarily depending upon, information obtained through their Public Office or Employment; nor

c. acquire any economic or other financial property, contractual or

other Economic Interest at a time when they believe, or have reason to believe, that it will directly and substantially affect or be so affected by their official actions or duties.

2. Subject to the restrictions and conditions set forth herein, Public Officials and Employees of the Nation are free to engage in lawful financial transactions to the same extent as the general public. Governmental Bodies may, however, adopt further approved restrictions upon such transactions or Employment, as authorized herein and by other applicable laws of the Nation, in light of special circumstances or the particular duties of such Public Official or Employee of the Nation.

3. No Business or Governmental Body shall employ a Public Official or Employee of the Nation if such Employment is prohibited by or otherwise violates any provision of this Act.

4. The term "Employment" within the meaning of this subsection includes professional services and other services rendered by a Public Official or Employee of the Nation, whether rendered as an Employee, Consultant or other independent contractor.

E. **Appropriate Actions in Case of Conflict of Interest.**

1. When a Public Official or Employee of the Nation is required to take official action on a matter in which such Public Official or Employee of the Nation has a personal Economic Interest, they should first consider eliminating that interest. If such is not feasible nor required under Subsection D above, such Public Official or Employee of the Nation shall:

a. prepare and sign a written statement describing the matter requiring action and the nature of the potential conflict for inclusion in the official record of any vote or other decision or determination and also for the information of the Commission, immediately upon becoming aware of such matter and potential conflict;

b. abstain from voting, sponsoring, influencing or in any manner attempting to influence any vote, official decision or determination which would favor or advance such person's personal Economic Interest in such matter; and

c. abstain from voting or otherwise participating in an official vote, decision or determination of such matter, unless otherwise directed by the authorized residing official of the Governmental Body making such decision or determination, or as otherwise required or allowed by applicable law.

2. Unless otherwise required or allowed by applicable law, the abstention by such Public Official or Employee of the Nation from voting or otherwise participating in

an official decision or determination of a matter shall not affect the presence of such Public Official or Employee of the Nation for purposes of establishing a quorum necessary for a Governmental Body to take action of voting, deciding or determining such matter.

3. Employees of the Nation shall also deliver a copy of such statement described in Subparagraph 1.a above to the Commission and to their immediate superior who shall assign the matter to another. If such Employee has no immediate superior, he or she shall take such steps as the Commission shall prescribe or advise to abstain from influencing actions and decisions in the matter.

4. In the event that a Public Official's or Employee of the Nation's participation is otherwise legally required or allowed for the action to be made, such Public Official or Employee of the Nation and appropriate Public Official or immediate superior requiring such participation shall fully report the occurrence to the Commission.

F. **Tribal Governmental Contracts; Restrictions and Bid Requirements.**

No Public Official or Employee of the Nation, or any member of such person's Immediate Family, shall be a party to, nor have an interest in, the profits or benefits of any governmental contract or be the recipient of investment by the Chickasaw Nation, unless the contract or the investment meets the following requirements:

1. the contract or investment is let by notice and competitive bid or procurement procedures as required under all applicable laws, rules, regulations and policies of the Nation or other appropriate agency for materials or services for the Governmental Body or entity involved;

2. the entire transaction is conducted at arm's length with the Governmental Body's full knowledge of the interest of the Public Official or Employee of the Nation or a member of their Immediate Family;

3. the Public Official or Employee of the Nation has taken no part in the determination of the specifications, deliberations or decisions of a Governmental Body with respect to the public contract; and

4. the Public Official or Employee of the Nation is not a member, office holder, Employee or otherwise directly associated with the same Governmental Body or entity primarily responsible for letting, performing, receiving, regulating or otherwise supervising the performance of the contract.

G. **Restrictions on Assisting or Representing Other Interests Before Governmental Bodies for Compensation.**

1. Public Officials or Employees of the Nation shall not use their Employment related contracts, relationships or dignity of their office to represent or advocate any interests or persons before any decision-making Governmental Body for payment or other form of Compensation or Income by any entity, interest or person. This Section shall not be construed to prohibit the duties of elected or appointed Public Officials to represent their constituents' interests before Governmental Bodies nor the performance of Ministerial Actions. It does, however, for example, prohibit representation of non-Citizens' interests for any fee or Compensation or Income in seeking to obtain any legislation, contract, payment of any claim or any other governmental benefit.

2. Nothing in this Act shall prevent a former Public Official or Employee of the Nation from appearing and giving testimony under oath, nor from making statements required to be made under oath, nor from making statements required to be made under penalty of perjury, nor from making appearances or communications concerning matters of a personal and individual nature which pertain to such former Public Official or Employee of the Nation or are based upon such person's own special knowledge of the particular subject involved, not otherwise privileged from disclosure by other applicable law; and provided further, that no Compensation or Income is thereby received other than that which is regularly provided for witnesses by law or regulation.

3. The Nation, its Governmental Bodies and political subdivisions shall not enter into any contract with, nor take any action favorably affecting or economically benefitting in any manner differently from members of the public at large, any person, Business, or Governmental Body, which is assisted or represented personally in the matter by a Public Official or Employee of the Nation or directly contributed to the making of such contract or taking of such action by the Nation or any Governmental Body or political subdivision thereof.

4. Nothing contained in this section shall prohibit a former Public Official or Employee of the Nation from being retained or employed by a Governmental Body.

H. **Unauthorized Compensation or Income or Benefit for Official Acts.**

1. No Public Official or Employee of the Nation shall accept or receive any benefit, favor or other form of Compensation or Income for performing the official duties of their office or Employment, beyond the amount or value which is authorized and received in their official capacity for performing such duties.

2. This Section shall not be construed to prohibit the receipt of authorized Compensation or Income for the performance of other distinct and lawful public duties by Public Officials or Employees of the Nation.

3. No Public Official or Employee of the Nation, however, shall accept any benefit, favor or other form of Compensation or Income for the performance of the duties

of any other office or Employment not actually performed or for which such Public Official or Employee of the Nation is not otherwise properly authorized or entitled to receive.

I. **Unauthorized personal use of property or funds of the Nation.**

No Public Official or Employee of the Nation shall use any property of the Nation or any other public property of any kind for any use other than as authorized and approved for official purposes and activities. Such persons shall properly protect and conserve all such property, equipment and supplies which are so entrusted, assigned or issued to them.

J. **Staff Misuse Prohibited.**

Public Officials and Employees of the Nation shall only utilize Employees of the Nation and staff only for the official purposes for which they are employed or otherwise retained.

K. **Nepotism Prohibited.**

No Public Official or Employee of the Nation shall employ, elect, appoint, or otherwise cause to be employed, nor nominate, nor otherwise influence the appointment or Employment to any Public Office or position with the Nation or any Governmental Body or political subdivision thereof, any person or persons related by Consanguinity or Affinity within the third degree, nor any Immediate Family member of said Public Official or Employee of the Nation. Assignment of such persons to duties, positions, governmental offices or other entities shall in all instances be made in strict compliance with the provisions of the Personnel Policies and Procedures of the Nation, as amended from time to time.

L. **Retaliation Prohibited.**

1. Retaliation against any party or witness to a complaint is hereby prohibited. Retaliation shall include any unjustified or unsubstantiated form of adverse or punitive action against a complainant, party or witness in an ethics-related cause of action brought before the Commission. Retaliation is considered an ethics violation in and of itself. Protection against retaliation shall also be afforded to any person(s), including Commission members and staff, offering testimony or evidence or complying with directives of the Commission.

2. Any violations of this Section shall be subject to penalties as defined herein, as well as obstruction and contempt violations of both the civil and criminal codes of the Nation, where applicable.

M. **Restrictions Against Gifts or Loans to Influence Official Acts.**

Except as otherwise provided herein or by applicable rule or regulation adopted hereunder by the Chickasaw Tribal Legislature or by other applicable law, no Public Official or Employee of the Nation shall solicit or accept for themselves or another, any Gift, including economic opportunity, favor, service, or loan (other than from a regular lending institution on generally available terms) or any other benefit of an aggregate monetary value of one hundred dollars ($100) or more in any calendar year, from any person, organization or group which:

1. has, or is seeking to obtain, contractual or other Business or financial relationships or approval from any Governmental Body, office or entity with which the Public Official or Employee of the Nation is associated or employed; or

2. conducts operations or activities which are regulated or in any manner supervised by any Governmental Body with which the Public Official or Employee of the Nation is associated or employed.

N. **Permitted Gifts, Awards, Loans, Reimbursements and Campaign Contributions.**

Subsection L above shall not be construed to prohibit:

1. an occasional non-pecuniary Gift, insignificant in value;

2. gifts from, and obviously motivated by, family or social relationships, as among Immediate Family members or family inheritances;

3. food and refreshments customarily made available in the ordinary course of meetings where a Public Official or Employee of the Nation may properly be in attendance;

4. an award or honor customarily and publicly presented in recognition of public service;

5. a political campaign contribution, in accordance with all applicable election laws and provided that no promise or commitment regarding the official duties of office or Employment is made in return for such contribution.

6. gifts of any large value made to the Chickasaw Nation.

O. **Adoption of Supplemental Codes of Conduct for Public Officials and Employees of the Nation.**

The chief executive or administrator of every Governmental Body or subdivision of the Nation which is subject to the provisions of this Act is authorized to submit for approval through their chain of command such supplemental rules, regulations and standards of conduct for Public Officials and Employees of the Nation of such entity, which are necessary and appropriate to the special conditions relating to their particular functions, purposes and duties, provided such are not in conflict with the purposes and other provisions of this Act. Upon adoption, such supplemental standards rules and regulations shall be implemented in the same manner and to the extent applicable, as are all other standards, rules and regulations provided and adopted in accordance with the provisions of this Act.

SECTION 2-702.6 SANCTIONS; PENALTIES; LEGAL LIABILITIES.

A. **Administrative Sanctions.**

1. Upon finding that there has been an ethical violation, the Commission may recommend any single, a combination or all of the following penalties or sanctions, depending upon the severity of the violation:

a. For Public Officials, recommendation for reprimand, removal, discharge, termination of Employment or recommendation for consideration of impeachment from Public Office in accordance with the Constitution and applicable Chickasaw law and procedure. For candidates for Public Office, any remedies provided elsewhere in the Code of the Chickasaw Nation.

b. For Employees of the Nation, recommendation for discipline, including suspension without pay or other benefits and dismissal as provided by other laws, regulations and personnel policies or procedures applicable thereto.

c. For Public Officials and Employees of the Nation, issuance of a private reprimand, which shall be entered into such person's permanent record of Employment or office and upon the permanent record of the Public Office or entity of which such person is a member or Employee of the Nation, in accordance with provisions of applicable Chickasaw law and procedures.

d. For Public Officials and Employees of the Nation, issuance of a written public reprimand, which shall be entered into such person's permanent record of Employment or office and upon the permanent record of the Public Office or entity of which such person is a member or Employee of the Nation, according to provisions of applicable Chickasaw law and procedures or in the Chickasaw Times Newspaper.

2. No sanctions or penalty provided herein shall limit any other powers of the Judicial, Executive or Legislative Departments of tribal government, nor of any other Governmental Body or entity nor administrative officials or Employees of the Nation under other applicable law, rules, regulations or procedures.

B. **Other Civil Damages.**

1. Any person subject to this Act found in violation may be further subject to, and personally liable for, the following provisions, without regard to the imposition of any administrative sanction or criminal conviction:

a. imposition of restitution for amount of actual damages or such other civil penalties as hereinafter provided; and/or

b. imposition of civil damages in an amount not exceeding three (3) times the amount or actual value of the benefit(s) so obtained.

2. If two (2) or more Public Officials or Employees of the Nation are responsible for any violation, each of them may be liable to the Nation for the full amount of any restitution and/or civil damages described above, the full amount of which may be imposed upon and collected from each one of them individually or jointly with others.

3. Any civil penalties imposed hereunder shall be collected in any manner authorized for recovery of debts or obligations owed to the Nation and shall be paid into the general revenue fund of the Nation. (PR42-003, 03/21/2025)

4. No imposition of any or all civil damages provided herein shall prohibit the institution of any other civil or criminal action, liability, judgment, conviction or punishment otherwise applicable thereto, nor shall determination of any such civil damages be barred thereby.

5. Any person knowingly and willfully filing any complaint authorized under this Act or by any other applicable law, without just cause or good faith belief and with malice or other improper purpose, including personal, political or other harassment or embarrassment, shall be guilty of a civil offense and for such offense may be fined up to five hundred dollars ($500) per occurrence.

SECTION 2-702.7 SEVERABILITY.

If any provision of this Act or the application of such provision to any person, firm, association, corporation or circumstances shall be held invalid, the remainder of this Act, and the application of such other provisions than those as to which are held to be invalid, shall not be affected thereby.

SECTION 2-702.8 PRIOR LAW AND POLICIES SUPERSEDED.

Subsection 2-702.5.O herein notwithstanding, upon the effective date of this Act, all prior enactments, laws, rules, policies, ordinances and regulations of the Chickasaw Nation and its Governmental Bodies are superseded hereby and/or amended to comply herewith.

SECTION 2-702.9 EFFECTIVE DATE.

The effective date of all provisions of this Act as promulgated herein shall be the first day of July, 2003. (PR20-010, 6/20/03).

CHAPTER 8
RECORDS AND ARCHIVES

Section 2-801.1 Citation of Title.
Section 2-801.2 Authority.
Section 2-801.3 Definitions.
Section 2-801.4 Constitutional Basis.
Section 2-801.5 Other Names; Appropriate.
Section 2-801.6 Parameters.
Section 2-801.7 Effective Date and Format.
Section 2-801.8 Continuation of Laws.
Section 2-801.9 Expansion of Code not Limited.
Section 2-801.10 New Enactments; Adoption.
Section 2-801.11 Updating and Distribution.
Section 2-801.12 Sales and Revenues.
Section 2-801.13 Maintenance; Rules and Regulations.
Section 2-801.14 Titles Enumerated; Current.

SECTION 2-801.1 CITATION OF TITLE.

This Act may be cited as the "Code of the Chickasaw Nation Act of 1994." (TL11-010, 6/17/94)

SECTION 2-801.2 AUTHORITY.

The Chickasaw Nation Tribal Legislature determined that a need exists for a code of laws to be enacted for the Chickasaw Nation.

SECTION 2-801.3 DEFINITIONS.

Definitions:

1. "The Chickasaw Nation" means the tribe of Indians located within the boundaries set forth in the Constitution of the Chickasaw Nation, being duly recognized by the Secretary of the United States Department of the Interior as a self-governing, sovereign government;

2. "Constitution" means the Constitution of the Chickasaw Nation as ratified by the voters of the Chickasaw Nation on August 27, 1983;

3. "Chickasaw Tribal Legislature" or "Legislature" means the legislative branch of the Chickasaw Nation Tribal Government as created and empowered by Articles V, VI, VII, VIII, IX and XVIII of the Constitution;

4. "Code," "Chickasaw Nation Code," "Chickasaw Code" or "Tribal Code" means the Code adopted by this Act;

5. "Effective Date" means the date that the Code of Tribal Laws shall be effective, as included in this Act;

6. "Act" means this Act, as identified in Section 2-801;

7. "Enactment," "Act," "Resolution" or "Law" means all actions taken by the Legislature which may have the full force and effect of law.

SECTION 2-801.4 CONSTITUTIONAL BASIS.

The basis for authority of this Act is Article VI, Section 1, of the Constitution, wherein the Legislature is granted legislative authority of the Chickasaw Nation, and in Article VII, Section 4, wherein the Legislature is granted the power and authority to enact rules and regulations pertaining to the Chickasaw Nation in accordance with the Constitution.

SECTION 2-801.5 OTHER NAMES; APPROPRIATE.

A codification of the enactments and other appropriate legislation of the Chickasaw Nation, through the Chickasaw Tribal Legislature, is hereby adopted as the "Code of the Chickasaw Nation," AChickasaw Nation Code," "Tribal Code," "Code" or by any other properly identifying designation.

SECTION 2-801.6 PARAMETERS.

This Code shall be treated and considered as a comprehensive enactment of the Legislature which shall codify all general and permanent enactments enacted by the Legislature prior to October 1, 1992, and provides that all laws enacted on or after October 1, 1992, shall, subsequently, be made a part of the Code in accordance with the provisions herein.

SECTION 2-801.7 EFFECTIVE DATE AND FORMAT.

All provisions of this Code shall be in full force and effect from the date this Act becomes law. The codification of the laws of the Chickasaw Nation is intended to be a recital of those laws within an organized format that provides for proper classification of the laws under

specific captions called Titles, Chapters, Sub-chapters, Sections, Sub-sections, Parts and Sub-parts, and other such captions as are customary with a codification, whether specified or not. Inadvertent omission of a law or part of a law into the code which is not in conflict with other laws does not void or repeal that law, but, upon discovery of its omission in the code, shall be inserted into the code without further direction from the Legislature.

SECTION 2-801.8 CONTINUATION OF LAWS.

The provisions appearing in this Code, so far as they are the same as those enactments existing as of October 1, 1992, shall be considered as continuations thereof and not as new enactments.

SECTION 2- 801.9 EXPANSION OF CODE NOT LIMITED.

The provisions in this Code include, but are not limited to, revised and new provisions or regulations in each of the titles and chapters in the Code.

SECTION 2-801.10 NEW ENACTMENTS; ADOPTION.

A. Enactments and parts of enactments of a permanent and general nature passed or adopted on or after the effective date of this Code may be passed or adopted either:

1. in the form of amendments to the Code adopted by this Act; or

2. without specific reference to the Code.

B. In either case, all such enactments and parts of enactments shall be deemed amendments to the Code. All of the substantive permanent and general parts of such enactments, and changes, made thereby in the Code, shall be inserted in the Code by the Legislature on at least a semi-annual basis and without further direction by resolution or enactment of the Legislature, or as may otherwise be provided.

SECTION 2-801.11 UPDATING AND DISTRIBUTION.

A. By contract or by the Chickasaw Nation's personnel, a change or supplement to the Code shall be prepared and printed whenever authorized or directed by the Legislature. The Code and updates shall be maintained both in printed form and on CD. A change to the Code shall include all substantive permanent parts of enactments passed by the Legislature or adopted by initiative and referendum, if any, during the period covered by the change and all changes made thereby in the Code. The printed pages of a change shall be so numbered that they will fit properly into the Code and where necessary, replace pages which have become obsolete or

partially obsolete, and new pages shall be so prepared that, when they have been inserted, the Code will be kept up to date. Updates will require the preparation of a new CD containing the entire updated Code. The words "as amended" and the date, shall appear at the top of the first page of each Title.

B. After every change has been prepared and printed, a number of copies of the change equal to the number of copies on order, or the number of copies of the Code still in existence, shall be distributed to the holders of the Code. Except as otherwise provided in this Section, the Code and updates shall be distributed in both printed form and on CD. All copies distributed to the Executive Department shall be delivered to the office of the Governor. All copies distributed to the Judicial Department shall be delivered to the office of the Supreme Court Clerk of Court.

C. Members of the Chickasaw Bar Association shall receive the Code and updates on CD only. All copies to be distributed to the members of the Chickasaw Bar Association shall be delivered to the Judicial Department.

D. The Code shall also be maintained and updated on the internet site in PDF format for the use of the general public.

SECTION 2-801.12 SALES AND REVENUES.

The Governor, is hereby authorized and directed to sell copies of the Code on CD to the public at a price determined from time to time by the Legislature. The expense of printing, updating and distributing the Code shall be borne by the Legislature through the annual budget. Revenues from the sale of copies of the Code shall be handed over to the Comptroller to be deposited to the General Fund and credited to the budget of the Legislature of the Chickasaw Nation. Such credit shall be computed, quarterly, on the basis of the fiscal year.

SECTION 2-801.13 MAINTENANCE; RULES AND REGULATIONS.

The Tribal Legislature, by approval of a simple majority of the Legislative Committee, may adopt rules and regulations regarding the general maintenance of the codification. A copy of such rules and regulations shall be kept in the Governor's office for public inspection.

SECTION 2-801.14 TITLES ENUMERATED, CURRENT.

The Code, hereby adopted, consists of the following Titles:

1. General Provisions
2. Administration of Tribal Affairs
13. Health & Social Services

& Government
3. Business Organizations, Professions & Licensing
4. Community & Economic Development
5. The Courts & Procedure
6. Domestic Relations & Families
7. Education
8. Elections & Campaigns
9. Enterprises (Tribal)
10. Finance & Taxation
11. Fish, Game & Animals
12. The Governor
14. Labor & Employment
15. Lands & Natural Resources
16. The Legislature & Legislation
17. Offenses
18. Real & Personal Property
19. Safety & Law Enforcement
20. Utilities
21. Vehicles & Highways

CHAPTER 9
NEWSPAPER

Section 2-901.1 Title/Findings.
Section 2-901.2 Definitions.
Section 2-901.3 Authority.
Section 2-901.4 Editorial Policy.

SECTION 2-901.1 TITLE/FINDINGS.

A. **Title.**

1. Be it enacted by the Tribal Legislature of the Chickasaw Nation assembled, that this act may be cited as "The Chickasaw Newspaper Act."

B. **Findings.**

1. Tribal funds are used to publish the Chickasaw Newspaper, and these funds must be utilized efficiently without waste or misuse.

2. Providing true and accurate information to Chickasaw citizens is of utmost importance.

3. The current Tribal Newspaper is commonly known as the Chickasaw Times.

4. There exists a need to establish formal, uniform guidelines and procedures governing the administration and publication of the Chickasaw Times.

5. There exists a need to establish a formal job description for the editor of the Chickasaw Times.

(TL4-003, 11/21/86)

SECTION 2-901.2 DEFINITIONS.

For the purpose of this Act:

1. "Chickasaw Nation" shall mean the tribe of Indians located within the boundaries set forth in the Constitution of the Chickasaw Nation being duly recognized by the Secretary of Interior of the United States of America, as a self governing, independent sovereign government.

2. “Constitution” shall mean the Constitution of the Chickasaw Nation as originally adopted by the people on August 27, 1983.

3. “Chickasaw Citizen” shall mean any Chickasaw Indian by blood, whose name appears on the final rolls of the Chickasaw Nation approved pursuant to Section 2 of the Act of April 26, 1906 (34 Stat. 137) and their lineal descendants.

4. “Tribal Legislature” shall mean the Legislative Department of the Chickasaw Nation as set forth in Article VI of the Constitution of the Chickasaw Nation adopted August 27, 1983.

5. "Chickasaw Times" or "Times" means the current official newspaper of the Nation;

6. "Editor" means the current editor of the Chickasaw Times who has independent authority to publish the tribal newspaper.

SECTION 2-901.3 AUTHORITY.

The basis for authority of this Act is Article VII, Section 4 of the Constitution of the Chickasaw Nation, wherein the Tribal Legislature is granted the power and authority to enact rules and regulations pertaining to the Chickasaw Nation in accordance with the Constitution. The Chickasaw Tribal Legislature with the adoption of this Act hereby establishes the Editorial Policy for the Chickasaw Times.

SECTION 2-901.4 EDITORIAL POLICY.

A. **Purpose.**

1. The purpose of the editorial policy is to establish uniform guidelines and procedures governing administration and publication of the Chickasaw Times (hereinafter referred to as the “Times”).

2. Established editorial policies allow the editor, employees, readers and all interested parties to fully understand the philosophy and function of the Times.

3. Tribal funds are used to publish the Times and these funds must be utilized efficiently without waste or misuse.

B. **General Philosophy.**

The Times shall be fair, impartial and inform the Chickasaw public of tribal goals, operations, procedures, services and emphasizing the accomplishments and opinions of all Chickasaw citizens. No person or collection of persons shall be allowed to dominate the Times in any form or fashion.

C. **Legal Basis.**

1. Article IV, Section 4 of the Constitution of the Chickasaw Nation states:

a. "Every citizen shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege, and no law shall ever be passed curtailing the liberty of speech, or of the press."

2. Article VII, Section 4 of the Constitution states:

a. "The Tribal Legislature shall enact rules and regulations pertaining to the Chickasaw Nation."

b. The "Times" staff shall uphold the provisions of the Constitution.

D. **General Provisions.**

1. The Times shall be a monthly publication, with an additional special election issue.

2. The Times shall be mailed free of charge to all registered Chickasaw voters, public schools and public libraries within the Nation, colleges and universities within Oklahoma, weekly and daily newspapers within the Chickasaw Nation plus the Daily Oklahoman, Tulsa Tribune and Tulsa World, and the other four (4) Civilized Tribes.

3. Articles and other items submitted to the Times should, if notifying the readers of an upcoming event, provide enough lead time for the event to be covered in an upcoming issue.

4. The established deadline of the first day of the month allows the paper to be prepared with adequate time for the printer to complete his tasks and copies can be mailed by the fifteenth of each month.

5. Articles, letters to the editor and other items submitted to the Times from Chickasaw citizens should be accepted and printed, providing the article is based on fact, is presented in good taste and adheres to the following basic criteria:

a. material should convey the quality of being actual, such as an actual occurrence proven by witnesses;

b. opinions should be based on sincerity in action, character, judgment or ideas that are true or accepted as true;

c. articles which are controversial in nature may require written evidence to prove the material is based on fact;

d. use of unfriendly or bitter words, used expressly with the intention to inflict damage, should be avoided; and

e. articles may be submitted to inform the readers about an event, idea, product or person with consideration of the laws on slander and libel.

6. Any article which cannot be published will be returned to the presenter, with an explanation detailing the reasons why said article could not be published.

7. A minimum of two (2) pages for each of the Executive, Legislative and Judicial Departments (a total of six (6) pages) in each issue should be reserved to be used at the discretion of each department.

8. Political announcements and campaign statements shall be restricted to the special election edition. The lone exception would be the initial announcement of a candidate who wishes to make an early announcement as information to the voter. Announcements should be limited to ten (10) column inches.

9. The Times on a regular basis shall include feature articles on original enrollees, outstanding businessmen and women, professionals, honor students, outstanding athletes, high school and college graduates, profiles on Chickasaw employees and historical data as well as contemporary information on Chickasaws from all geographic areas.

10. The Times on an annual basis shall publish, in its January issue, an evaluation questionnaire to be voluntarily returned by readers. The results of this evaluation shall be used as a reference to determine the future direction of the Times

before budget approval by the Legislature.

11. The editor of the Times shall be allowed to work independently but in cooperation with all entities of the Nation.

E. **Procedure to Amend Editorial Policy.**

The Editorial Policy as written will remain in effect until such time that the Chickasaw Tribal Legislature adopts or amends the new or current policy. Such changes can be accomplished by a citizen or official of the Chickasaw Nation presenting written proposals to the Tribal Legislature for their purview and action.

(TL4-003, 11/21/86)

CHAPTER 10
TRIBAL BOARDS, COMMISSIONS AND AGENCIES

(Chapters 10 and 11 separated by PR20-006, 3/21/03)

ARTICLE A
GENERAL PROVISIONS

Section 2-1001.1 Applicability of this Article.
Section 2-1001.2 Written Oath of Office.
Section 2-1001.3 Payment.

SECTION 2-1001.1 APPLICABILITY OF THIS ARTICLE.

The provisions of this Article shall apply to all members of all boards, agencies and commissions created by act of the Chickasaw Tribal Legislature or by act of the Governor; provided, that such positions shall be subject to the provisions of this Article only if such positions are appointed by the Governor with the advice and consent of the Legislature in accordance with the provisions of Article XI, Section 2 of the Constitution.

SECTION 2-1001.2 WRITTEN OATH OF OFFICE.

All members of all boards, agencies and commissions to which this Article shall apply, shall, upon the date of assuming their position as a member of that board, agency or commission, herein defined as the date of the first official meeting of that board, agency or commission after such member has been appointed by the Governor subject to the advice and consent of the Chickasaw Tribal Legislature and which they attend, shall file in the Office of the Governor or a written and signed Oath of Office, the wording of which shall be:

"I (name), do solemnly swear (or affirm) that I will support, obey and defend the Constitutions of the Chickasaw Nation and the United States of America, and will discharge the duties of my office with fidelity, so help me God."

Such Oath of Office shall contain a place for that member to sign his or her name. Each such Oath of Office shall be dated with the date on which it is signed, and attested to by no fewer than two (2) witnesses. Copies of each such Oath of Office shall be retained in special files created for such purposes and maintained in the Office of the Governor. An Oath of Office shall be administered for each member of each board, agency or commission and for each term of appointment. If a person serves on more than one board, agency or commission, an Oath of Office must be completed for each
such office held. Existing written and signed Oaths of Office forms already on file at the time of the adoption of this Act shall be considered fully executed for purposes of this Section.

SECTION 2-1001.3 PAYMENT.

A. Each non-employee member of an official board, commission or agency of the Chickasaw Nation to which the provisions of this Article shall apply as contained and defined in Section 2-1001.1, shall be eligible for payment in the form of per diem and travel expenses as are normally allowed for regular, full-time employees of the Chickasaw Nation.

B. Any time that such board, commission or agency shall meet to conduct its regular or special meetings, all attending members shall be entitled to reimbursement for expenses in accordance with Executive Department travel policies.

C. Members of boards, commissions and agencies which are, as a course of their normal duties and/or functions, involved in meetings or tasks are entitled to an additional payment in the form of a stipend for their time, which shall be equivalent to an hourly rate as approved by the Governor, in addition to any payment which might be received in the form of per diem and travel expenses. The administrative staff assigned to each such board, agency or commission shall be responsible for completion of paperwork for such payment in accordance with the normal procedures used for regular, full-time tribal employees. Should no such staff be assigned to such board, agency or commission, the Office of the Governor shall provide such services for those affected members.
(PR43-006, 04/20/2026; PR13-18, 9/20/96; PR27-004, 7/16/10)

ARTICLE B
CHICKASAW COMMERCE AND CORPORATION COMMISSION

(RESERVED)

ARTICLE C
(RESERVED)

(PR20-003, 12/20/02)

ARTICLE D
CHICKASAW ELECTION COMMISSION

Section 2-1004.1 Election Commission Established; Members.
Section 2-1004.2 Qualifications of Members.
Section 2-1004.3 Term of Office.
Section 2-1004.4 Duties of Commission.
Section 2-1004.5 Appointment of Election Secretary/Tribal Registrar.
Section 2-1004.6 Supervision of Ballot Counting by Commission.
Section 2-1004.7 Methods for Sealing Ballots; Certificates; Return and Preservation.
Section 2-1004.8 Bid Solicitation.

SECTION 2-1004.1 ELECTION COMMISSION ESTABLISHED; MEMBERS.

The Election Commission shall be composed of five (5) tribal members appointed by the Governor with the advice and consent of the Legislature. All must be Residents of the Chickasaw Nation. There shall be one member from each of the four voting districts of the Nation and one member may be selected at large from any of the four districts. The Election Commission shall be authorized to act in a prescribed manner and to perform prescribed acts as set forth in this Article D and in Title 8 of the Chickasaw Nation Code. The Commission shall be within the Executive Department; however, the Commission shall make its decisions in the performance of its statutory duties and authority without input, advice or interference from any of the three departments of tribal government, any officer or employee thereof, or any other person not sitting on the Commission. (PR20-006, 3/21/03)

SECTION 2-1004.2 QUALIFICATIONS OF MEMBERS.

Employees of the Chickasaw Nation shall not be eligible for appointment as a member of the Election Commission. No Current elected official of the Chickasaw Nation, nor any person who is related within the third degree (this is defined as Mother, Father, Brother, Sister, Aunt, Uncle, Nephew, Niece, Grandparents, or Grandchildren) by either consanguinity or Affinity to an elected official of the Chickasaw Nation, shall serve on the Election Commission. No Candidate or regular employee of a Candidate for office or person who is related within the third

degree by either consanguinity or Affinity to a Candidate for office shall serve on the Election Commission.
(PR23-004, 3/17/06)

SECTION 2-1004.3 TERM OF OFFICE.

Members of the commission shall hold three (3) year terms. In the event of an expansion of the number of Election Commission seats, the existing Election Commission members will stagger the terms of the newly created seats using the most fair and equitable method in keeping with the language and intent of this Section. A term year will be deemed to run from January 1 - December 31. Commissioners shall be reappointed, or a replacement shall be appointed, at least sixty (60) days prior to the expiration of the term. Replacements for death or resignation must be done on an as needed basis and in a timely manner.

SECTION 2-1004.4 DUTIES OF COMMISSION.

A. The Election Commission and Election Secretary shall conduct all elections of the Nation. In keeping with such duties, the Election Commission shall have the following rights and responsibilities:

1. Upon a Candidate filing, the Commission shall make a determination of the eligibility of said Candidate pursuant to the Constitution and the Code. The eligibility determination shall be made within five (5) days of the close of the Candidate filing period. The basis for this decision shall include:

a. a verifiable determination that the Candidate lives within the boundaries of the Chickasaw Nation;

b. a criminal background check in the county, state and any other available resources;

c. a completed application for candidacy; and

d. any such other requirements under the Code or Constitution.

2. If needed, hire independent legal counsel for consultation. Counsel shall be someone who is not used by the Nation in any other capacity. The Commission may also use any available technology and/or any necessary consulting services in order to perform their duties in the most efficient and just method possible.

3. Set general policy to be carried out by the Election Secretary/Tribal

Registrar.

4. Assist the Legislature in developing rules and regulations necessary to conduct Chickasaw Nation elections as requested.

5. Conduct all election recounts pursuant to this Article D and Title 8 of the Chickasaw Nation Code.

6. Engage in any other activities for the performance of its responsibilities as required by the provisions of this Code.

7. Attend orientation and training for existing and new members.

8. Maintain good working knowledge of Current election rules and regulations.

9. Take any and all steps to insure that all Candidates are treated fairly with regard to the election processes and access to accurate Voters Lists.

10. Hold hearings and issue written rulings on challenges to candidacy and voting privileges.

B. Any violation of this Section by any member of the Commission may be grounds for removal from office.

SECTION 2-1004.5 APPOINTMENT OF ELECTION SECRETARY/TRIBAL REGISTRAR.

An Election Secretary/Tribal Registrar shall be a single full-time position appointed by the Governor and confirmed by the Legislature. Legislative confirmation shall be required of any person serving as Election Secretary/Tribal Registrar on an interim basis. If possible, appointments of Election Secretary/Tribal Registrars shall be made at least sixty (60) days prior to the year's upcoming elections. The Election Secretary/Tribal Registrar shall be a registered Chickasaw Voter and a notary public and shall be responsible for the day-to-day office procedures of the elections and tribal registration as defined in Title 8 of the Chickasaw Nation Code. The salary shall be established by the Legislature.

SECTION 2-1004.6 SUPERVISION OF BALLOT COUNTING.

A. The Election Commission and Election Secretary/Tribal Registrar shall conduct and supervise the election ballot counting in the Nation's headquarters as prescribed in this

Article D and Title 8 of the Chickasaw Nation Code.

B. The Election Secretary/Tribal Registrar and one (1) Commissioner or two (2) Commissioners shall have the authority to determine the validity of signatures on the election envelopes.

C. The Election Commission shall ensure that only one ballot is cast by each Voter.

SECTION 2-1004.7 METHODS FOR SEALING BALLOTS; CERTIFICATES; RETURN AND PRESERVATION.

The Election Secretary/Tribal Registrar and Election Commission shall prescribe methods of sealing all ballots, all certificates of vote, and all other materials used in recording the count of the ballots in such a manner that any tampering with or altering of same after the sealing has been accomplished can be detected. The Election Commission shall have such other duties as provided in this Code on return and preservation of ballots.

SECTION 2-1004.8 BID SOLICITATION.

A. The Election Secretary/Tribal Registrar shall solicit and receive contract negotiation bids to include the cost of ballot counting, printing and mailing of ballots, envelopes, instructions and other material or services needed to conduct a tribal election. These bids shall come from reputable independent sources. No bids shall be accepted from a source that in any form could be construed to reflect on the integrity of the election.

B. The Election Secretary/Tribal Registrar shall, in the beginning of each calendar year, solicit bids to either contract with a professional firm that specializes in managing election processes for governmental entities. The firm will be one that is not associated or has not been associated with the Chickasaw Nation at the time of the passing of this law. Selections will also be made on the basis of the best and lowest bid from capable election firms.

C. The Chickasaw Election Secretary/Tribal Registrar shall submit his recommendation to the Chickasaw Tribal Legislature of the firm chosen to assist in the conduction of tribal elections.
(PR21-014, 2/27/04)

ARTICLE E
CHICKASAW HOUSING AUTHORITY

Section 2-1005.1 Authorization; Designation.
Section 2-1005.2 Certification of Compliance.
Section 2-1005.3 Responsible Federal Official.

SECTION 2-1005.1 AUTHORIZATION/DESIGNATION.

The Chickasaw Tribal Legislature by exercise of its powers of self-government, hereby designates the Chickasaw Nation as the recipient of funds from the United States Department of Housing and Urban Development and administering, managing and directing all operations pertaining to the housing needs of Chickasaw citizens and others within the jurisdiction of the Chickasaw Nation. (PR15-012, 2/20/98; PR17-019, 5/19/00; PR20-006, 3/21/02)

SECTION 2-1005.2 CERTIFICATION OF COMPLIANCE.

As NAHASDA requires a tribal certification regarding each tribe's Indian Housing Plan, the Chickasaw Nation hereby certifies that:

1. it will comply with Title II of the Civil Rights Act of 1968 in carrying out this Act, to the extent that such title is applicable, and other applicable federal statutes;

2. it will maintain adequate insurance coverage for housing units that are owned and operated or assisted with grant amounts provided under NAHASDA, in compliance with such requirements as may be established by the Secretary of the U.S. Department of Housing and Urban Development;

3. policies are in effect and are available for review by the Secretary and the public governing the eligibility, admission and occupancy of families for housing assisted with grant amounts provided under NAHASDA;

4. policies are in effect and are available for review by the Secretary and the public governing rents charged, including the methods by which such rents or home buyer payments are determined for housing assisted with grant amounts provided under NAHASDA; and

5. policies are in effect and are available for review by the Secretary and the public governing the management and maintenance of housing assisted with grant amounts provided under NAHASDA. (PR15-022, 8/22/98; PR20-006, 3/21/02)

SECTION 2-1005.3 RESPONSIBLE FEDERAL OFFICIAL.

The Governor of the Chickasaw Nation, as Chief Executive Officer of the Chickasaw Nation, is hereby authorized to consent to the following:

1. assuming the status of a responsible federal official under the National Environmental Policy Act of 1969 and the other provisions of law listed in Title 24 of the Code of Federal Regulations, Part 58.5, insofar as the provisions of NAHASDA and such other provisions of law apply to the Chickasaw Nation's proposed program pursuant to 24 CFR Part 58; and

2. accepting the jurisdiction of the federal courts, on behalf of himself and the Chickasaw Nation, for the purpose of enforcement of his responsibilities as such an official.

(PR15-022, 8/22/98; PR20-006, 3/21/02)

Note: The Articles of Incorporation governing the Chickasaw Housing Authority are filed with the Secretary of State of the State of Oklahoma. The Authority is run as a corporation within the framework of its articles of incorporation.

ARTICLE F
CHICKASAW NATION INDUSTRIAL DEVELOPMENT COMMISSION

Annotation: SC Case No. 95-02, 7/22/95: Declared Unconstitutional in its entirety.

ARTICLE G
CHICKASAW NATION INDUSTRIES, INC.

Section 2-1007.1 Approval.
Section 2-1007.2 Authorizations.

SECTION 2-1007.1 APPROVAL.

The Chickasaw Tribal Legislature hereby approves the adoption of a Charter of Incorporation for a tax exempt, for-profit corporation for the Chickasaw Nation, as approved by the Bureau of Indian Affairs, and presents it to the Governor of the Chickasaw Nation for submission to a vote of the electorate in accordance with the requirement of Section 3 of Chapter 831 of the Act of June 26, 1936 (49 Stat. 1967), also known as the Oklahoma Indian Welfare Act, which section is codified at 25 USC '503. (PR13-16, 9/6/96; PR20-006, 3/21/03)

Note: Establishment of a corporation ratified by referendum vote of Chickasaw citizens in 1996.

SECTION 2-1007.2 AUTHORIZATIONS.

Pursuant to Section 3 of Chapter 831 of the Act of June 26, 1936 (49 Stat. 1967), also known as the Oklahoma Indian Welfare Act, which section is codified at 25 USC Section 503, the Chickasaw Nation desires to create a corporation with the following authorizations:

1. The Charter shall establish the Chickasaw Nations Industries, Inc., a Federally Chartered Business Corporation (hereinafter, “Corporation”).

2. The Corporation shall be a distinct legal entity pursuant to 25 USC Section 503, wholly owned by the Chickasaw Nation.

3. The Corporation shall have the same immunity from taxation under federal law as the Chickasaw Nation.

4. The Corporation shall be empowered to engage in any type of lawful business, enterprise or venture, or any lawful act or activity for which corporations may be organized under the Oklahoma Indian Welfare Act.

5. The Corporation shall be empowered to have and exercise all powers incidental, necessary or convenient to the conduct of corporate business, not inconsistent with law.

6. The Corporation shall be empowered to sue in its corporate name and, notwithstanding the immunity possessed by the corporation as a wholly owned corporation of the Chickasaw Nation, to permit by written resolution of the Board of Directors enforcement of leases, contracts, agreements and mortgage instruments to which the Corporation is a party, against the corporation in tribal court, or any court of competent jurisdiction by agreement of the Board of Directors; provided, however, that any limited waiver of sovereign immunity granted by the charter does not authorize the levy of any judgment, lien, garnishment or attachment upon any property or income of the Corporation, the Chickasaw Nation, or any agency thereto, other than property or income of the Corporation specifically and in writing duly mortgaged, pledged or assigned as collateral for the debts or liabilities of the corporation related to the lease, contract, agreement or mortgage instrument to be enforced. The limited waiver of sovereign immunity granted in the charter may not be intended to nor shall it be construed to waive the immunity of the Corporation, the Chickasaw Nation or any agency thereof, for any other purpose with respect to any claim or other matter not specifically mentioned therein, and shall not be intended to, nor shall it extend to the benefit of, any person other than the parties to such leases, contracts, agreements or mortgage instruments or their successors or assigns.

7. The corporate powers and authorities of the Corporation shall be vested in a board of directors which shall consist of between five (5) and nine (9) directors who shall be citizens of the Chickasaw Nation.

8. The Corporation shall be empowered to make distributions, including dividends, to the Chickasaw Nation.

(PR13-016, 9/6/96)

ARTICLE H
CHICKASAW TAX COMMISSION

Section 2-1008.1 Title; Findings; Definition.
Section 2-1008.2 Tax Commission Established.
Section 2-1008.3 Terms.
Section 2-1008.4 No Political Influence; Removal.
Section 2-1008.5 Duties and Powers.
Section 2-1008.6 Existing Legislation.

SECTION 2-1008.1 TITLE/FINDINGS/DEFINITIONS.

A. **Title.**

1. Be it enacted by the Tribal Legislature of the Chickasaw Nation

assembled, that this Act may be cited as the "Taxing Authority Act of 1988."

B. **Findings.**

The Legislature finds that:

1. Since the adoption of Enactment No. 6, which created the Chickasaw Tax Commission on June 21, 1985, no specific duties or authorities have been granted the Commission by the Legislature;

2. Such authorities are now necessary for the full operation and potential of the government of the Chickasaw Nation.

C. **Definitions.**

For the purpose of this Act:

1. "Tax Commission" or "Commission" means the Chickasaw Tax Commission, as defined herein;

2. "Tax" means a compulsory payment levied on income, property value, sales price or on other items of value or goods, or products, or services, for the support of the government of the Chickasaw Nation;

3. "Tribal Legislature" or "Legislature" means the law-making body of the Chickasaw Nation Tribal Government, which is the recognized governing body of the tribe, possessing plenary power over the people, land and property within the exterior boundaries of the Chickasaw Nation;

4. "Chickasaw Nation" means the tribe of Indians located within the boundaries set forth in the Constitution of the Chickasaw Nation, adopted August 27, 1983, being duly recognized by the Secretary of the Interior of the United States of America and other agencies of the United States of America and other governments, as a self-governing, sovereign government; sometimes hereinafter referred to as "Tribe."

(TL5-004, 7/19/88; PR20-006, 3/21/03)

SECTION 2-1008.2 TAX COMMISSION ESTABLISHED.

There is hereby established the Chickasaw Tax Commission, hereinafter referred to as "Tax Commission" which shall be comprised of three (3) commissioners, each of whom shall be appointed by the Governor of the Chickasaw Nation with the advice and consent of the

Legislature, with the following stipulations:

1. A minimum of two (2) of the three (3) commissioners shall be of Chickasaw descent;

2. All commissioners shall be residents of the Nation.

SECTION 2-1008.3 TERMS.

Terms of office for each commissioner shall be four (4) years. For the first commissioners who shall serve under the terms of this Act, a drawing of lots shall be conducted at the first official meeting of the Commission to determine, among themselves, which commissioners shall serve a four (4) year term, a three (3) year term and a two (2) year term. Thereafter, the Governor shall appoint each commissioner to a four (4) year term, subject to the conditions contained herein.

SECTION 2-1008.4 NO POLITICAL INFLUENCE, REMOVAL.

Members shall serve their terms of office free from political influence from any branch of the government and may be removed only for cause and in a manner provided by law.

SECTION 2-1008.5 DUTIES AND POWERS.

A. The basis for authority of this Act is Article VII, Section 4 of the Constitution of the Chickasaw Nation, wherein the Tribal Legislature is granted the power and authority to enact rules and regulations pertaining to the Chickasaw Nation in accordance with the Constitution. The Chickasaw Tribal Legislature, with the adoption of this Act, hereby:

1. grants specific and general powers and authorities to the Chickasaw Tax Commission to collect those tribal-levied Taxes, fees and licenses assigned in this or previous or future legislation;

2. grants powers of apportionment and allocation of revenues which have been earmarked to various tribal agencies and/or programs as determined by the Governor and the Legislature;

3. grants powers of enforcement and the administration of tribal Tax laws, rules and regulations;

4. grants the authority to subpoena witnesses and records, to administer oaths and to render decisions appealable directly and only to the Tribal Court of the Chickasaw

Nation;

5. grants the authority to devise the organizational make-up of the staff of the tax agency, including divisions thereof.

B. The Chickasaw Tax Commission shall be empowered with all necessary powers of control over all such entities as would normally fall under the purview of such Commission, or of those entities over which specific control is granted by the Legislature.

C. At its first meeting, the Commission shall, in addition to other requirements contained herein:

1. review potential areas of taxation which would prove beneficial to the Chickasaw Nation;

2. compile a list of such areas for submission to the Legislature within ninety (90) days of the meeting date; and

3. devise an operational structure for itself and for any staffing requirements it may find necessary to the fulfillment of the duties and obligations contained herein, and present a draft of this plan to the Legislature within one hundred twenty (120) days of the meeting date.

D. The Chickasaw Tax Commission shall exercise only that authority granted herein, but may make additional recommendations to the Legislature at any time it deems proper.

SECTION 2-1008.6 EXISTING LEGISLATION.

Any existing legislation which conflicts with this Act is hereby repealed.

ARTICLE I
CHICKASAW UTILITY AUTHORITY

Section 2-1009.1 Plan of Operation.
Section 2-1009.2 General Powers.
Section 2-1009.3 Chairman.
Section 2-1009.4 Vice Chairman.
Section 2-1009.5 Secretary.
Section 2-1009.6 Other Board Members.
Section 2-1009.7 Contracts.
Section 2-1009.8 Compensation.
Section 2-1009.9 Reports.
Section 2-1009.10 Disposition of Property.
Section 2-1009.11 Contracts.
Section 2-1009.12 Checks, Drafts, Etc.
Section 2-1009.13 Meetings.
Section 2-1009.14 (Reserved).
Section 2-1009.15 Rules, Regulations and By-Laws.
Section 2-1009.16 (Reserved).

SECTION 2-1009.1 PLAN OF OPERATION.

A. The name of the Authority created in this article shall be the Chickasaw Tribal Utility Authority, hereinafter referred to as the "Authority."

B. The principal place of business and office of the Authority shall be in Ada, Oklahoma.

C. The Authority shall not be limited in the conduct of its business to the geographical boundaries of the Chickasaw Nation. The Authority may establish offices and operational sites within the boundaries consistent with prudent and economical management of the business.

D. The seal of the Authority shall be as prescribed by its trustees.

E. The duration of the Authority is perpetual.

F. The purpose for which the Authority is organized is as follows:

1. to acquire, operate, maintain and promote utility systems, furnishing electric, gas, water and telephone services, sanitation services and any other services of like or

similar nature to consumers regardless of where they may live or do business;

2. to provide a fair return to the Chickasaw Nation on its investment consistent with the furnishing of utility services at competitive cost; and

3. to do everything necessary, proper, advisable or convenient for accomplishment of the purposes herein above set forth, and to do all things incidental thereto or connected therewith, which are not forbidden by federal law, the plan of operation for the Authority, the Authority bylaws, or the Constitution and laws of the Chickasaw Nation.

G. The following utility services shall be within the Authority's operational jurisdiction and may be expanded by board vote:

(a) electricity;

(b) gas;

(c) water;

(d) telephone; and

(e) sanitation services.

Each approved utility management contract will be permanently filed for inspection at the Authority's main office.
(GR4-03, 10/17/86; PR14-009, 4/16/97; PR20-006, 3/21/03; PR21-025, 9/17/04)

SECTION 2-1009.2 GENERAL POWERS.

A. The business and affairs of the Authority shall be managed by a Board of Trustees which shall exercise all the powers of the Authority except such as are by law, or this Code conferred upon and reserved to the Chickasaw Nation.

B. The business and affairs of the Authority shall be managed by a board of five (5) trustees, consisting of a chairman, vice chairman, and three other members, which board shall exercise all the powers of the Authority except such as are by law, or this Code conferred upon or reserved to the Legislature or to the Executive Department.
(GR5-36, 5/20/88; PR14-009, 4/16/97; PR20-006, 3/21/03; PR21-025, 9/17/04; PR38-020, 5/24/2021)

SECTION 2-1009.3 CHAIRMAN.

The Chairman shall be appointed by the Governor of the Nation. The Chairman shall:

1. be the principal executive officer of the Authority and, unless otherwise determined by the other members of the board of trustees, preside at all meetings of the board of trustees;

2. sign, with the Secretary, deeds, mortgages, deeds of trust, notes, bonds, contracts or other instruments authorized by the board of trustees to be executed, except in cases which the signing and execution thereof shall be expressly delegated by the board of trustees or by these bylaws to some other officer or agent of the Authority or shall be required by law to be otherwise signed or executed; and

3. in general, perform all the duties incident to the office of chairman and such other duties as may be prescribed by the board of trustees from time to time. (GR5-36, 5/20/88; PR20-006, 3/21/03; PR21-025, 9/17/04; PR22-008, 1/15/05; PR38-020, 5/24/2021)

SECTION 2-1009.4 VICE CHAIRMAN.

The Vice Chairman shall be appointed by the Governor of the Nation. The Vice Chairman, in the absence of the Chairman or in the event of his inability or refusal to act, shall perform the duties of the Chairman and, when so acting, shall have all the power of and be subject to the restrictions upon the Chairman. The Vice Chairman shall also perform such other duties as from time to time may be assigned to him by the board of trustees. (GR5-36, 5/20/88; PR20-006, 3/21/03; PR38-020, 5/24/2021)

SECTION 2-1009.5 SECRETARY.

The Secretary shall be designated by the board of trustees and shall be a member of the staff of the Authority. The Secretary shall be responsible for:

1. keeping the minutes of the meetings of the board of trustees in books provided for that purpose;

2. seeing that all notices are duly given in accordance with the bylaws or as required by law;

3. the safekeeping of the corporate books and records and seal of the Authority and affixing the seal of the Authority to all documents, execution of which on behalf of the Authority under its seal is duly authorized in accordance with the provisions of the bylaws;

4. keeping on file at all times a complete copy of the minutes and by laws of the Authority containing all amendments thereto, which copy shall always be open to the inspection of any citizen of the Nation, and shall, at the expense of the Authority, furnish a copy of the bylaws and of all amendments thereto upon request; and

5. performing such other duties as from time to time may be assigned to him or her by the board of trustees.

(GR5-36, 5/20/88; PR20-006, 3/21/03; PR21-025, 9/17/04; PR38-020, 5/24/2021)

SECTION 2-1009.6 OTHER BOARD MEMBERS.

All five members of the board of trustees shall be appointed by the Governor from the Chickasaw Nation, shall serve terms of three years, and shall be confirmed by a majority of the Legislature. (PR14-009, 4/16/97; PR20-006, 3/21/03; PR21-025, 9/17/04; PR22-008, 1/15/05; PR38-020, 5/24/2021)

SECTION 2 - 1009.7 CONTRACTS.

All contracts shall be approved first by the board and, upon proper board action, submitted to the Governor for his approval. Any provisions of such contracts shall take precedence over the Authority's bylaws or any acts of the board of trustees. Any such contracts not approved by the Governor shall not be final and binding upon the Authority. (GR5-36, 5/20/88; PR20-006, 3/21/03; PR21-025, 9/17/04)

SECTION 2 - 1009.8 COMPENSATION.

The compensation of all trustees shall be fixed by the board and approved by the governor.

(GR5-36, 5/20/88; PR20-006, 3/21/03; PR21-025, 9/17/04)

SECTION 2-1009.9 REPORTS.

The board of trustees shall submit annually a report covering the business of the Authority for the previous fiscal year. Such reports shall set forth the condition of the Authority at the close of such fiscal year. (GR5-36, 5/20/88; PR20-006, 3/21/03)

SECTION 2-1009.10 DISPOSITION OF PROPERTY.

The Authority may not sell, mortgage, lease or otherwise dispose of or encumber all or any substantial portion of its property unless such sale, mortgage, lease or other disposition or encumbrance is authorized by a majority of the Legislature; provided, however, that notwithstanding anything herein contained, the board of trustees of the Authority, without authorization of the Legislature, shall have the full power and authority to authorize the execution and delivery of mortgages or a deed or deeds of trust upon, or pledging or encumbering of any or all of the property, assets, rights, privileges, licenses, franchises and permits of the Authority, whether acquired or to be acquired, and wherever situated, as well as the revenues and income therefrom, all upon such terms and conditions as the board of trustees shall determine, to secure any indebtedness of the Authority, as long as such indebtedness does not accrue any liability to the Nation. (GR5-36, 5/20/88; PR20-006, 3/21/03)

SECTION 2-1009.11 CONTRACTS.

Except as otherwise provided in this article, the board of trustees may authorize any officer or officers, agent or agents to enter into any contract or execute and deliver any instrument in the name and on behalf of the Authority, and such Authority may be general or confined to specific instances. (GR5-36, 5/20/88; PR20-006, 3/21/03)

SECTION 2-1009.12 CHECKS, DRAFTS, ETC.

Except as provided by law or in this Code, all checks, drafts or other orders for the payment of money, and all notes, bonds or other evidence of indebtedness issued in the name of the Authority shall be signed by such officer or agent of the Authority and in such manner as shall from time to time be determined by resolution of the board of trustees. (GR5-36, 5/20/88; PR14-009, 4/16/97; PR20-006, 3/21/03)

SECTION 2-1009.13 MEETINGS.

Meetings of the board of trustees may be called by board resolution, by the chairman, or by any three (3) trustees and it shall thereupon be the duty of the secretary to cause a notice of such meeting to be given to each trustee. The board, the chairman, or the trustees calling the meeting, shall fix the date, time and place for the meeting, which shall be held within the Chickasaw Nation, unless all trustees consent to it being held in some other place, and all such information shall be included in the notice of the meeting. Regular monthly meetings may also be established by the board on pre-set dates. No official business shall be conducted if a quorum of three (3) members or more is not established at any such board meeting. (GR5-36, 5/20/88; PR14-009, 4/16/97; PR20-006, 3/21/03; PR21-025, 9/17/04)

SECTION 2-1009.14 (RESERVED).

(PR21-025, 9/17/04)

SECTION 2 - 1009.15 RULES, REGULATIONS AND BYLAWS.

The board of trustees shall have the power to make and adopt such rules and regulations not inconsistent with law, or this Code, as it may deem advisable for the management and regulation of the business and affairs of the Authority by a majority vote of the board of trustees. The board of trustees may devise and adopt its own bylaws to control and regulate the affairs of the board. (GR5-36, 5/20/88; PR14-009, 4/16/97; PR20-006, 3/21/03; PR21-025, 9/17/04)

SECTION 2 - 1009.16 (RESERVED).

(PR21-025, 9/17/04)

ARTICLE J
CHICKASAW HISTORICAL SOCIETY

Section 2-1010.1 Citation.
Section 2-1010.2 Purpose.
Section 2-1010.3 Authority.
Section 2-1010.4 Definitions.
Section 2-1010.5 Mission.
Section 2-1010.6 Board of Directors.
Section 2-1010.7 Duties of the Board.
Section 2-1010.8 Meetings and Attendance.
Section 2-1010.9 By-laws; Form Taken.
Section 2-1010.10 Provisions for Chapters.
Section 2-1010.11 Support Staff.
Section 2-1010.12 Funding and Budget.

SECTION 2-1010.1 CITATION.

Be it enacted by the Chickasaw Tribal Legislature assembled, that this Act shall be cited as the "Chickasaw Historical Society Act of 1994" ("Act").
(TL11-009, 4/15/94; PR20-006, 3/21/03)

SECTION 2-1010.2 PURPOSE.

The Chickasaw Tribal Legislature finds that:

1. it has become necessary for the government of the Chickasaw Nation to assist in the perpetuation of Chickasaw culture and in the dissemination of Chickasaw history and relevant pursuits; and

2. there has been expressed to the Governor of the Chickasaw Nation and to the Chickasaw Nation Department of Culture and Humanities within the Executive Department sufficient desire and interest by Chickasaw citizens and other interested parties to warrant formalization of a process to promote and preserve Chickasaw history and culture.

(PR40-002, 11/18/2022)

SECTION 2-1010.3 AUTHORITY.

The basis for authority of this Act is Article VI, Section 2, and Article VII, Section 4 of the Constitution of the Chickasaw Nation. The Chickasaw Tribal Legislature, with the adoption

of this Act, hereby:

1. creates the Chickasaw Historical Society;

2. authorizes the adoption and approval of by-laws of the Chickasaw Historical Society; and

3. appropriates funding for the operations of the Chickasaw Historical Society.

SECTION 2-1010.4 DEFINITIONS.

For the purpose of this Act:

1. "The Chickasaw Nation" shall mean the government instituted in the Constitution of the Chickasaw Nation, or all Chickasaw Indians by blood whose names appear on the final rolls of the Chickasaw Nation approved pursuant to Section 2 of the Act of April 26, 1906, and their lineal descendants, or it shall mean the actual physical nation itself, depending upon reference;

2. "Chickasaw Tribal Legislature," or "Legislature," shall mean that body of not more than 13 members, as created by Articles V, VI, VII, VIII and IX of the Constitution of the Chickasaw Nation;

3. "Governor" shall mean the Chief Executive Officer of the Chickasaw Nation, as created by Articles X and XI of the Constitution, or whenever proper to so interpret, it may also mean the Lieutenant Governor, when acting in behalf of the Governor in accordance with Article X, Section 2 and in Article XI, Section 5 of the Constitution;

4. "Society" shall mean the Chickasaw Historical Society, as created in this Act;

5. "Board of Directors" or "Board" shall mean the governing body of the Chickasaw Historical Society, as created in this Act;

6. "Constitution" means that document which formally established the Chickasaw Nation and its government, as ratified by the eligible registered voters of the Chickasaw Nation on August 27, 1983, and which was approved by the Secretary of the U.S. Department of the Interior on July 15, 1983;

7. "*Ex officio*" means by virtue of the office, without any other warrant or appointment than that resulting from the holding of a particular office.

SECTION 2-1010.5 MISSION.

There is hereby created the Chickasaw Historical Society. The Society shall have as its mission to honorably and prayerfully promote, preserve, and protect Chickasaw culture, language, and heritage by encouraging cultural involvement and historical awareness. The Chickasaw Historical Society desires to inspire new generations to keep the fires of Chickasaw history and culture burning by sharing its dynamic culture with the world.
(PR40-002, 11/18/2022)

SECTION 2-1010.6 BOARD OF DIRECTORS.

A. The Society shall be directed by a Board of Directors, each of whom shall be appointed by the Governor and confirmed by the Legislature. The Board shall be comprised of, but not limited to, seven regular members, a simple majority of whom shall be citizens of the Chickasaw Nation.

B. Members of the Board should include, but are not limited to, an ethno-historian and/or genealogist; a licensed attorney who shall serve as legal adviser to the Board; an educator; an archaeologist; a Chickasaw language speaker; and a financial specialist.

C. The Governor, Chairperson of the Legislature, and the Chief Justice of the Chickasaw Nation shall serve as voting *ex officio* members of the Board. Other members may be appointed by the Governor when the positions held by those members are determined to be of benefit to the Board or to the Society; provided, the Governor shall specify at the time of appointment whether such members shall have voting privileges on matters coming before the Board. Individuals whose positions render authentication or validity to the mission and services of the Society may be designated as advisers to the Board by the Governor.

D. The terms of office for each Board member shall be three (3) years and staggered, with the Governor designating the length of terms of office for the first appointees as he appoints them, in the following manner: Two (2) members for three (3) year terms; two (2) members for two (2) year terms; and three (3) members for one (1) year terms. The terms for additional members to the Board shall be likewise designated at the time of appointment.

E. All members of the Board shall serve and may be removed for cause as provided under appropriate provisions of tribal law.

F. No single member, or any group of members of the Board, is authorized to

represent any discussion or decision of the Board, or to act as a personal representative of the Board unless specifically authorized by a vote of the majority of the Board to do so.

G. No member of the Board shall have a direct or indirect financial or executive interest in any contract or transaction with the Society.

SECTION 2-1010.7 DUTIES OF THE BOARD.

The Board shall:

1. Set policy and approve all policies, functions, programs and services relative to the mission and goals of the Society, provided that all policies, functions, programs, and services relative to the Society are not in conflict with tribal law or executive policies or executive orders;

2. ensure that the purpose, mission and goals of the Society are accomplished;

3. study, establish, review and evaluate periodically all policies set by the Board and twice annually submit its findings to the Tribal Historical and Cultural Committee of the Legislature and the Secretary of Culture and Humanities for recommendation and possible action;
(PR40-002, 11/18/2022)

4. elect from among itself officers of the Board, who shall be a Chairman, a Vice Chairman, a Secretary and a Treasurer, with all the proper attendant responsibilities and duties attached to each such office in accordance with the by-laws to be adopted by the Board for its operations and for those operations of the Society and individual chapters of the Society;

5. personally support and serve as a constant advocate of the purpose, mission, goals and services of the Society; and

6. establish the parameters for and management of chapters of the Society.

SECTION 2-1010.8 MEETINGS AND ATTENDANCE.

A. The Board shall meet at least monthly, but may meet as often as it deems necessary to carry out its functions.

B. The Board shall hold an annual meeting in the month of October each year, on a

date set by the Board for such meeting, for the purposes of electing officers, naming members of standing committees and presenting the financial report to the Society's members. The annual meeting shall be open to all interested parties, with members of the Society encouraged to attend. Each chapter formed thereunder may also send representatives to attend the annual meeting. The annual meeting shall be held at the Chickasaw Capitol Building in Tishomingo, unless otherwise provided by the Board.

C. Special meetings of the Board may be called by the Chairman or at the request of any four voting members of the Board. Notice of such special meeting shall contain a statement as to the purpose of the meeting, and shall be given on at least twenty four (24) hours notice, by U.S. Mail, electronic mail, or a form of telecommunications which shows in print the date and time of the delivery of such notice.

D. Written notice of each regular meeting of the Board shall be provided by the Board Secretary at least ten days in advance of the scheduled meeting date. Said notice shall include an agenda for the meeting and appropriate supportive materials of agenda items to be studied before the meeting. Such notice shall include the date, time and place for the meeting.

E. A quorum for the conduct of business at any meeting of the Board shall consist of a simple majority of the voting members of the Board. No attendance or voting by proxy shall be allowed.

F. Any actions required to be taken at any meeting of the Board or by any of the Board's committees may be taken without a meeting by direct contact of the appropriate Chairman if all members consent thereto in writing, and the consents are filed with the minutes of such meeting. Meetings of committees of the Board may be held by call of the Chairman of the committee if a quorum is connected by telephone.

G. Members of the Board or of any committee of the Board may participate in any meeting by means of telephone conference or video conferencing or similar communication equipment in which all persons participating may communicate with each other. Participation in a meeting pursuant to the provisions of this paragraph of this Section shall constitute presence in person at such meetings.

H. In all meetings of the Board or of its committees, Robert's Rules of Order shall be followed; provided, that the Board or any committee may vote to conduct its meetings informally; and provided further, that should any conflicts or questions arise regarding proper format or procedure of such meeting, resolution shall be made in accordance with the provisions of Robert's Rules of Order.

I. Executive sessions of meetings of the Board may be conducted, upon vote of the

Board assembled, after a call for executive session is made by any voting member of the Board, and the Chairman shall so then order.

SECTION 2-1010.9 BY-LAWS; FORM TAKEN.

The Board shall adopt by-laws for the operation of the Society and of the Board itself. Such by-laws shall not be in conflict with this Act or with any other applicable provision of tribal or

federal law or regulation which might be justifiably applied. By-laws adopted by the Board shall include, as a minimum:

1. provisions for order of business of each Board meeting and each committee meeting;

2. establishment of committees for the Board and for the Society;

3. duties and responsibilities of each officer of the Board and of each officer of the committees;

4. goals and objectives for the Society; and

5. provisions for the formation of various chapters of the Society.

SECTION 2-1010.10 PROVISIONS FOR CHAPTERS.

A. Chapters of the Society may be established under the guidelines formulated by the Board.

B. Persons, organizations or businesses interested in the aims of the Society may affiliate with a chapter; or, if they do not wish to affiliate with an established chapter, may be admitted to membership in the Society upon application and payment of a membership fee, to be set by the Board for all such memberships, subject to the approval process determined by the Board and contained in the by-laws of the Society. A listing of such fees shall be provided to the Governor's office and to the Tribal Historical and Cultural Committee of the Legislature.

C. Chickasaw Historical Society chapters may be chartered wherever there is expressed a sufficient desire and sincere interest, and where authorized by the Board in accordance with the provisions of the by-laws of the Society.

SECTION 2-1010.11 SUPPORT STAFF.

The Society, including the Board and its committees, shall not create its own staff; rather, staffing requests may be provided to the Governor by the Board. The Governor may provide such staffing assistance through the Executive Department's Department of Culture and Humanities, or its successor, to the extent feasible and practicable as determined by the Governor. Such staff shall retain their rates of pay and shall retain their positions within the Department of Culture and Humanities.
(PR40-002, 11/18/2022)

SECTION 2-1010.12 FUNDING AND BUDGET.

A. There is hereby appropriated from the Tribal General Fund, funds in the amount of ten thousand dollars ($10,000) to be used for start-up expenses of the Society and to pay travel costs associated with the officers of the Board. Within ninety (90) days of this Act becoming law, the Governor shall submit a budget to the Legislature sufficient to meet the needs of the Society for the remainder of Fiscal Year 1994. All expenses incurred or contemplated to be incurred by the Society and/or by its Board, shall be made in compliance with existing Executive Department policies and procedures regulating such expenses.

B. The Board shall submit to the Governor through the Secretary of Culture and Humanities its requested budget for each succeeding fiscal year, in a timely manner and on an annual basis, so that the Society's budget might be included by the Governor in his annual tribal budget submitted to the Chickasaw Tribal Legislature.
(PR40-002, 11/18/2022)

CHAPTER 11

(RESERVED)

(Chapters 10 and 11 separated by PR20-006, 3/21/03)

CHAPTER 12
INTERGOVERNMENTAL AND INTERTRIBAL AGREEMENTS

(RESERVED)