

***Sample statute developed in the Tanana Chiefs
Conference Region that establishes procedures for
adopting, amending, and repealing tribal statutes***

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**ADOPTING, AMENDING AND REPEALING
TRIBAL STATUTES**

[Note: Many tribes use the word ‘ordinance’ rather than statute, or develop written laws in categories and call them ‘codes.’]

Section 1. Purpose.....	1
Section 2. Definitions.....	1
Section 3. Procedures for Adopting, Amending, and Repealing Statutes	2
A. Proposals.....	2
B. Notification	2
C. Opportunity to Speak.....	2
D. Adoption of proposal.....	2
Section 4. Referendum Vote.....	3
Certification.....	3

Section 1. Purpose

The purpose of this statute is to establish a uniform procedure for how tribal statutes are proposed, adopted, amended, and repealed. It is the intent of the _____ Tribe that tribal statutes do not conflict with our traditional values or written constitution.

Section 2. Definitions

‘Statute’ is a tribal law intended to establish written procedures for the _____ Tribal Government, and rules of conduct In _____.

‘Amend’ means that wording is added, taken out, or changed within an existing statute.

'Repeal' means that the whole statute or an entire section of an statute is removed.

Section 3. Procedure for Adopting, Amending, and Repealing Statutes

- A. Proposals:** Proposals to adopt, amend, or repeal statutes may be submitted to the _____ Tribal Council by a council member, by any member of the Tribe, or by any person the Council requests to do so, at any regular or special Council meeting.

- B. Notification:** After an statute proposal is made to the Council, the Council shall set a time for the proposal to be discussed and/or voted on. The Council shall make the proposal available to the tribal members and shall post notice of when and where the discussion about the proposal will take place. The notice shall be posted at least 1 week **[or some other length of time]** before the meeting in at least three public places in _____. **[Some tribes require proposals to be 'read' a certain number of times, so the notification section would be changed to require notification to the tribal members before each meeting where it is read.]**

- C. Opportunity to Speak:** All meetings in which statute proposals are discussed, and/or voted on, shall be open to the tribal membership. Tribal members shall have the opportunity to voice their opinions, ideas, and concerns about the proposal as directed by the Council Chairperson.

- D Adoption of Proposal:** The Chief or council member may move to adopt an statute proposal. An affirmative vote of at least ____ Council members is necessary to adopt, amend or repeal statutes. Statutes shall be adopted, amended or repealed by council resolution or certification of adoption. The Council shall make copies of all statutes and amendments available to Tribal members.

Section 4. Referendum Vote:

Statutes shall be put to a referendum vote of the tribal members if the Tribal Constitution or statutes so specify. The Council has the option of calling a referendum vote on statute proposals even if it is not specifically called for, if supported by at least ____ Council members. Elections on referendum issues shall follow the guidelines for special tribal elections. An statute adopted, amended, or repealed by the tribal voters shall remain in effect until changed by the tribal voters.

CERTIFICATE OF ADOPTION

This statute was submitted to a vote of the _____ Tribal Council on _____, and was duly (adopted) (rejected) by a vote of _____ for and _____ against, during a regularly scheduled meeting of the _____ Council for which notice was posted and tribal members had an opportunity to attend and voice their opinions, ideas and concerns about this statute.

President

Date

Secretary/Treasurer

Date