



NCA 19-034

CLASSIFICATION: #19. ELECTIONS

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING MCNCA TITLE 19 CHAPTER 12 § 12-101, ENTITLED "Anonymous campaign literature"

Be it enacted by the National Council of the Muscogee (Creek) Nation:

SECTION ONE. AMENDMENT. This amendment shall be codified in Title 19, Chapter 12 of the Code of Laws of the Muscogee (Creek) Nation; provided that for purposes of codification said amendment and its inclusion in pocket parts of the Code of Laws for the Muscogee (Creek) Nation, the Attorney General is authorized (1) to approve any changes related to the manner in which sections, articles, chapters and sub-chapters are designated consistent with the format in the Code of Laws published in 2010 by West Publishing Company; (2) to include footnoted references to the legislative history in said pocket parts of the Code of Laws and; (3) to note in said pocket parts any editorial correction of minor clerical or grammatical errors in the following amendment, without further National Council approval:

SECTION TWO. AMENDMENT. MCNCA Title 19, § 12-101 is hereby amended to read as follows:

§ 12-101. Anonymous campaign literature

A. No person or organization shall, write, print, post, **publish, disseminate,** or distribute, or cause to be written, printed, posted, **published, disseminated,** or distributed, any circular, poster, **announcement, press release, webpage, social media website,** or advertisement which is designed to **endorse, support, influence,** injure or oppose the nomination or election of a candidate, **or** to influence the voters in an election on any constitutional or statutory amendment, or any other issue in a Tribal election, unless there appears upon such circular, poster, **announcement, press release, webpage, social media website,** or advertisement in a conspicuous place, either the name and address of the person who is the author thereof or the name and address of the president, chairman, and secretary, or two (2) officers of the organization, which sponsored the publication of each written document. Nothing in this section shall be construed to apply to any matter or thing published in any such newspaper, magazine, **webpage, social media website,** or journal recognized and circulating as such, which matter is published by such newspaper, magazine, **webpage, social media website,** or journal on its own behalf, upon its own responsibility and for which it shall not charge or receive any compensation whatsoever. Nor shall it apply to

any publication issued by any legally constituted election officials in the performance of their duties.


B. Any candidate who campaigns or promotes their candidacy through social media shall register or create a separate account with any social media outlet used by the candidate during the campaign. Such separate accounts shall be registered in the name of the candidacy or campaign and not in the name of the candidate individually. Any postings or release of any campaign information from the candidate's social media page shall clearly identify the candidate for elective office and the sponsoring campaign as the person responsible for the posting. No candidate shall campaign or promote their candidacy for any elective office, or disseminate any campaign information through social media unless that candidate has created a separate account with the social media outlet in the name of the candidacy or campaign. The publication, dissemination or distribution of any and all such material indicating opposition to or endorsement of a particular candidate, constitutional amendment or referendum as set forth in this section, must clearly identify the person, sponsors, group or organization printing, posting, publishing or disseminating such information in support of their candidate, candidacy, or position on any constitutional or statutory amendment. The publication, dissemination or distribution of false or misleading campaign endorsements is prohibited.

C. Any person or organization willfully acting in violation of this section shall be guilty of a misdemeanor and shall be fined not less than ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100.00) nor more than ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000.00).

SECTION THREE. EFFECTIVE DATE. This Act shall become effective immediately upon proper approval and execution in accordance with the requirements of the Muscogee (Creek) Nation Constitution.

ENACTED by the Muscogee (Creek) National Council on this **30th** day of **March, 2019.**

IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Lucian Tiger III, Speaker
National Council
Muscogee (Creek) Nation

CERTIFICATION


I, the undersigned, certify that the foregoing is a true extract from the minutes of the Muscogee (Creek) National Council comprised of Sixteen members with **Fifteen** members attending this meeting on the **30th** day of **March, 2019** and that the above is in conformity with the provisions therein adopted by a vote of **14** in favor, **0** against and that said Law has not been rescinded or amended in any way and the above is the signature of the Speaker of the National Council.



Kristie A. Jackson, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this **4th** day of **April**, 2019 to the above Law, **NCA 19-034** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



James R. Floyd, Principal Chief
Muscogee (Creek) Nation

