

TABLED
PASSED
JUL 13 2023

CHEROKEE COUNCIL HOUSE
CHEROKEE, NORTH CAROLINA

Date: MAY 04 2023

ORDINANCE NO. 595 (2023)

An ordinance to amend C.C. Chapter 16 to allow the conduct of community bingo games.

WHEREAS, Tribal law requires Class II and Class III gaming conducted on Tribal trust lands to be regulated and licensed by the Tribal Gaming Commission (TGC); and

WHEREAS, Class I games are not regulated and licensed by the TGC and include "social games solely for prizes of minimal value or traditional forms of Indian gaming engaged in by individuals as a part of, or in connection with, tribal ceremonies or celebrations" (C.C. § 16-1(f)); and

WHEREAS, bingo is, by default, treated under federal law and Tribal law as a Class II game and organized bingo conducted by the Tribe through the Tribal Bingo Enterprise (TBE) was regulated and licensed by the TGC when the TBE was conducting such games; and

WHEREAS, EBCI community clubs, enrolled members, and Tribal officials have long conducted community or charitable bingo games to promote community goodwill or to raise funds to donate to a social organization or a Cherokee family in need; and

WHEREAS, community bingo community bingo games are not currently addressed in Tribal law; and

WHEREAS, Tribal law should be amended so that community bingo games may be lawfully conducted for their traditional purposes.

NOW THEREFORE BE IT ORDAINED by the Eastern Band of Cherokee Indians in Tribal Council assembled, at which a quorum is present, that C.C. Chapter 16 shall be amended by adding thereto a new section, identified as C.C. § 16-1.05B, to read as follows:

Sec. 16-1.05B. - Community bingo.

(a) Nothing in this Chapter shall apply to "community bingo games" as defined in this section.

(b) "Community bingo games" means bingo games periodically conducted by EBCI community clubs that are officially recognized by the EBCI Tribal Council as eligible to receive periodic funding from the Tribe, or conducted by EBCI government offices or officials, and which games are conducted for the purpose of promoting community

1 cohesion and goodwill, or for a charitable purpose such as to raise money to donate to
2 community family or community organizations in need. Community bingo games are
3 limited to awarding prizes that have a minimal value. In this context, "minimal value"
4 means an individual prize has a value no greater than two-hundred fifty dollars (\$250.00),
5 and no community bingo game may offer a cash prize; provided, however, that gift cards
6 for goods or services may be offered as prizes so long as such gift cards do not exceed a
7 value of two-hundred fifty dollars (\$250.00) per gift card.
8
9

10 BE IT FINALLY RESOLVED that all ordinances that are inconsistent with this ordinance are
11 rescinded, and that this ordinance shall become effective when ratified by the
12 Principal Chief.
13
14

15 *Submitted by the Office of the Attorney General.*

and ratified in open Council on JULY 13, 2023 by 94 voting for the act and 0 members voting against it as follows:

<i>VOTE</i>	<i>FOR</i>	<i>AGAINST</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
Richard French	X			
Teresa McCoy	X			
Boyd Owle	X			
Bucky Brown	X			
TW Saunooke	X			
David Wolfe	X			
Adam Wachacha	X			
Mike Parker	X			
Andrew Oocumma	X			
Albert Rose	X			
Dike Sneed				X
Michael Stamper	X			
	94	0	0	6

Richard French
TRIBAL COUNCIL CHAIRMAN

Michael Thompson
ENGLISH CLERK

PRINCIPAL CHIEF

APPROVED (☒) VETOED (☐)

~~VETO UPHOLD~~ () ~~VETO DENIED~~ ()

DATE: 8/1/23

I hereby certify that the foregoing act of the Council was duly:

PASSED ()

KILLED ()

and ratified in open Council after the same has been interpreted by the Official Interpreter and has been fully and freely discussed.

INTERPRETED ()

OMITTED ()