

TO AMEND THE CHOCTAW NATION CHILDREN'S CODE

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO AMEND the Choctaw Nation Children's Code to align with the Trafficking Victims Protection Act of 2000. 22 U.S.C. § 7101.

WHEREAS, Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma states that the Tribal Council (the "Council") shall enact legislation, rules and regulations not inconsistent with the Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation (the "Nation");

WHEREAS, since the passage of the Choctaw Nation Children's Code, the Tribal Prosecutor's Office has identified and proposes certain needed amendments to better protect American Indian children and the sovereignty of the Choctaw Nation of Oklahoma;

WHEREAS, the following proposed amendment makes the Choctaw Nation Children's Code more consistent with the Trafficking Victims Protection Act of 2000, allows the Choctaw Nation to obtain Title IV-E funding for children in foster care, and completes requirements for the Children and Family Services Grant; and

WHEREAS, the Council finds it is in the best interest of the Nation to adopt the proposed amendments to the Choctaw Nation Children's Code as listed below.

THEREFORE BE IT ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma, that this bill be cited as approval to amend Section 1-1-105, number 69, "Sex trafficking" as follows:

"Sex trafficking" means the recruitment, harboring, transportation, provision, ~~or~~ obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act; or a severe form of trafficking in which a commercial sex act is induced by force, fraud, or coercion; or in which the person induced to perform such act has not attained eighteen years of age.

BE IT FURTHER ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma that Section 1-1-105, number 69, shall now state: "'Sex trafficking" means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act; or a severe form of trafficking in which a commercial sex act is induced by force, fraud, or coercion; or in which the person induced to perform such act has not attained eighteen years of age."

BE IT FURTHER ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma that these amendments to the Choctaw Nation Children's Code are effective immediately.

CERTIFICATION

I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on September 11, 2021. I further certify that the foregoing Council Bill CB- 98 -21 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0) negative votes, and zero (0) abstaining.

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Ronald Perry, Secretary  
Choctaw Nation Tribal Council



Thomas Williston, Speaker  
Choctaw Nation Tribal Council



Gary Batton, Chief  
Choctaw Nation of Oklahoma

Date 9-15-21

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**Purpose/Need of Council Bill:** This bill proposes amendments to the existing Choctaw Nation Children's Code. The amendment proposes adding language to the existing definition of "Sex trafficking." The new definition of "Sex trafficking" will be more consistent with the Trafficking Victims Protection Act of 2000, will allow the Nation to meet requirements for Title IV-E funding in foster care, and complete the requirements for the Children and Family Services Grant.

**Title of Council Bill:** **TO AMEND THE CHOCTAW NATION CHILDREN'S CODE**

**Agency:** Legal & Compliance

**Budget:** N/A

**Match Required:** N/A

**Request by Project Director:** Kara Bacon, Lead Prosecutor;