

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1281

Short Title: East. Band Cherokees' Full Faith and Credit. (Public)

Sponsors: Representative Carpenter (By Request).

Referred to: Judiciary II.

April 12, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO RECOGNIZE THE SOVEREIGNTY OF THE EASTERN BAND OF
3 CHEROKEE INDIANS AND TO PROVIDE FULL FAITH AND CREDIT TO
4 JUDGMENTS AND ORDERS OF THE TRIBAL COURT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 1 of the General Statutes is amended by adding a new
7 Subchapter XVI, Article 51, to read:

8 "Subchapter XVI. Courts of the Eastern Band of Cherokee Indians.

9 "Article 51.

10 "Full Faith and Credit.

11 **"§ 1-602. Courts of the Eastern Band of Cherokee Indians; full faith and credit.**

12 (a) The State of North Carolina recognizes the inherent sovereignty of the Eastern
13 Band of Cherokee Indians and acknowledges that the jurisdiction of the Eastern Band,
14 including its Judicial Branch, extends to all persons, activities, and property within the
15 territory of the Eastern Band. The State further acknowledges that the Cherokee Court
16 has jurisdiction over claims arising within the territory of the Eastern Band,
17 notwithstanding any rights-of-way granted to the State and others. The North Carolina
18 courts shall defer to the jurisdiction of the Cherokee Court in such matters.

19 (b) The Eastern Band gives full faith and credit to judgments, decrees, and orders of
20 the State courts. A judgment, decree, or order signed by a judicial officer of the Eastern
21 Band and filed in the Cherokee Court shall be given full faith and credit by the North
22 Carolina courts to the same extent as a judgment, decree, or order of another state."

23 **SECTION 2.** This act is effective when it becomes law.