



Title XIII – Election Rules and Regulations

Alabama-Coushatta Tribe of Texas Comprehensive Codes of Justice

“Election Rules and Regulations”

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Section 204, annotated on July 13, 2010, pursuant to a meeting of the
Tribal membership on that date**

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Revised on September 23, 2013 by Tribal Resolution# 2013-69
Revised on September 23, 2014 by Tribal Resolution #2014-65**

Title XIII – Election Rules and Regulations is comprised of Tribal statutes relevant to elections conducted by the Alabama-Coushatta Tribe of Texas.

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PREAMBLE

This Election Ordinance is hereby established by the Alabama-Coushatta Tribal Council pursuant to the authority delegated by **Article VI, Section 1(h)** of the **Constitution and By-Laws of the Alabama-Coushatta Tribe of Texas**.¹

CHAPTER 1. TRIBAL ELECTIONS

Sec. 101. Primary Election

The Tribal primary election will be held annually on the **first (1) Wednesday, of November**. On the specified date, the positions of Tribal Council due to expire will each be elected for a **three (3) year term**. Due to the election cycles and staggered terms, Tribal Council seats to be filled shall be **two (2), two (2), and three (3)** on a repeating schedule.

In accordance with Article V, Section 2, of the Constitution and By-laws of the Alabama-Coushatta Tribe of Texas, at the annual election scheduled for November 5, 2014, two (2) positions for membership on the Tribal Council will appear on the ballot. At the Annual Election scheduled for November 4, 2015, two (2) positions for membership on the Tribal Council will appear on the ballot. And, at the Annual Election scheduled for November 2, 2016, three (3) positions for membership on the Tribal Council will appear on the ballot.

Each voter shall be entitled to cast multiple votes – one vote each for the same number of candidates as there are Council positions to be filled. Where two Council positions are to be filled, each voter may cast one vote each for two different candidates; where three Council positions are to be filled, each voter may cast one vote each for three different candidates.

If one or more candidates receive a majority of the votes cast in the primary election, those candidate(s) shall be declared elected. For the purpose of this section “**majority**” shall be as determined using the formula defined in **Section 103**. If less than all Council positions at issue in the election are filled, a run-off election shall be required to elect candidates to fill those remaining Council positions.²

Sec. 102. Runoff Elections

If a runoff election is required, it will be held as designated during the month of **November**. The candidates for the run-off election shall be the candidates not elected during the primary election who otherwise received the most votes. The number of candidates permitted in the run-off shall be one plus the number of Council positions to be

¹ Preamble Revised on September, 22, 2014, by Tribal Resolution #2014-65

² Sec. 101 Revised on September 23, 2013, by Tribal Resolution #2013-69; Revised on September 23, 2014 by Tribal Resolution #2014-65

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filled in the run-off election.

If at any primary election;

1. No candidate receives a majority of all votes cast as determined by the formula in **Section 103** herein there shall be a runoff election among;

(Two (2) Council positions to be elected)

No more than three (3) candidates receiving the most votes. *The two (2) candidates receiving the highest number of votes in the runoff shall be declared the winners.*

(Three (3) Council positions to be elected)

No more than four (4) candidates receiving the most votes. *The three (3) candidates receiving the highest number of votes in the runoff shall be declared the winners.*

2. One (1) candidate receives a majority of all votes cast as determined by the formula in **Section 103**, *that person shall be declared the winner of one (1) Council position* and there shall be a runoff election among;

(Two (2) Council positions to be elected)

No more than two (2) candidates receiving the most votes. *The candidate receiving the highest number of votes in the runoff shall be declared the winner of the second Council position.*

(Three (3) Council positions to be elected)

No more than three (3) candidates receiving the most votes. *The two (2) candidates receiving the highest number of votes in the runoff shall be declared the winners of the two remaining Council positions.*

3. Two (2) candidates each receive a majority of all votes cast as determined by the formula in **Section 103**, *those two (2) candidates shall each be declared the winner of two (2) Council positions* and there shall be a runoff election among;

(Two (2) Council positions to be elected)

No runoff election shall be held.

(Three (3) Council positions to be elected)

No more than two (2) candidates receiving the most votes. *The candidate receiving the highest number of votes in the runoff shall be declared the winner of the third Council position.*³

Sec. 103. Formula for Determining a Majority

In determining a majority vote for the position of Tribal Council, a candidate must have a minimum of fifty-one (51%) of all votes cast.

³ Sec. 102 Revised on September 23, 2013, by Tribal Resolution #2013-69

Title XIII – Election Rules and Regulations/C.C.J.**Sec. 104. Notice of Election**

A “**Notice of Election**” shall be issued at least thirty (30) calendar days before a primary election by the Tribal Council. This Notice shall be posted at the Cultural Center and hand delivered to each tribal member household on the reservation. It shall set forth the date of the election, the respective offices to be filled, location of the polling place, and the times during which the polls will be open for voting.

A “**Notice of Early Voting**” and “**Runoff Election**” shall contain the same information and be posted and delivered in the same manner.⁴

CHAPTER 2. CANDIDATE QUALIFICATIONS AND NOMINATION PROCESS**Sec. 201. Qualifications**

In accordance with **Article VIII, Section 4**, of the **Constitution and By-Laws of the Alabama-Coushatta Tribe of Texas** candidates for the position of Tribal Council shall:

1. be a resident member of the Tribe, as defined in Article II, Section 7 of the Constitution, which states, *“All enrolled members of the Alabama-Coushatta Tribe of Texas living on the territory of the Tribe, as defined by Article I, Section 1 of the Constitution, with the intent to make the Territory their fixed and permanent home, shall be considered Resident Tribal Members”*;
2. is no less than twenty-five (25) years of age, and;
3. has maintained continuous residence within the territory of the Tribe, as defined in Article 1, Section 1, for no less than one (1) year preceding the date of the Annual Election.⁵

Sec. 202. Nomination Process

Candidates for the position of Tribal Council are selected by nomination at a Tribal Council Nomination Meeting scheduled annually at least thirty (30) calendar days prior to the primary election, by the current Tribal Council. Adequate notice of this meeting is hand delivered to the household of all Tribal member residents on the reservation.

This process includes but may not be limited to the following;

1. Announcement and Notice of Tribal Election of Tribal Council Members;
2. Nomination and appointment of an Election Chairman and Secretary, to preside over the meeting. The Chairman and Secretary will be compensated for their services as determined by the Tribal Council;

⁴ Sec. 104 Revised on September 23, 2014 by Tribal Resolution #2014-65

⁵ Sec. 201 Revised on September 23, 2013, by Tribal Resolution #2013-69; Revised on September 23, 2014 by Tribal Resolution #2014-65

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3. Request and recording of nomination of candidates for the expiring Council seats from Tribal Members present. All eligible nominators are to proceed to the Tribal Election Secretary to declare their intent at this time. Prior to closure of nominations, the Election Chairman will make a last call for nominations to insure that all have been declared. Nominations are limited to **one (1) per tribal member**;
4. Nomination and appointment of **four (4) Election Judges** to preside over the election process for the current year. These Judges will be compensated for their services throughout the election process as determined by the Tribal Council;
5. Setting of date for primary election;
6. Conclusion of the duties and responsibilities of the Election Chairman and Secretary.

Prior to assuming the duties of Election Judge each appointee is to be administered an **“Oath of Office”** and execute a **“Confidentiality Agreement”**. It is the responsibility of the Election Judges to insure for the fair and expedient conducting of Tribal Elections and must conduct themselves in a manner as to instill public confidence in the process. To aid in this process the following is to serve as a guide and should not be deemed all inclusive of the appropriate and/or inappropriate conduct effecting the position of Election Judge.

DUTIES AND RESPONSIBILITIES
CODE OF CONDUCT

1. No person shall serve in the capacity of Election Judge during an election in which a member of his/her **“immediate family”** is a candidate in the election. It shall be the responsibility of the individual if nominated to withdraw their name from consideration and/or not to accept the appointment. For the purpose of this section **“immediate family”** may include but not limited to Parent, Step-Parent, Grandparent, Brother, Sister, and/or persons residing within their household.
2. He/she must fulfill the obligations as stated within the **“Oath of Office”** administered following their appointment;
3. He/she must comply with the terms and conditions of the **“Confidentiality Agreement”** as executed following their appointment;
4. He/she shall not participate or engage in political activity, including his/her own or any other candidacy for Tribal election, taking active part in the political campaign of a candidate including but not limited to soliciting votes for that candidate, except to exercise his/her right as a Tribal member to express his/her opinion privately and to cast his/her vote as desired;

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5. He/she shall not electioneer, engage in political discussions or unnecessarily delay a voter at the polling place;
6. He/she shall participate in Certification of the Candidates as well as narrating and/or monitoring the Candidate Forum;
7. Insure that a minimum of two (2) Election Judges are present during, 1.) Early Voting 2.) As provided for the Elderly and/or Infirm, delivery and execution of election ballots and return of same to the official ballot box and, 3.) Voting in the primary and runoff elections;
8. Verify that persons wishing to cast a ballot are listed on the approved eligible registered voter list for the Tribe;
9. Insure that all four (4) Election Judges are present during the count until concluded, determining whether a run-off election is required and who may be in the run-off as defined in Section 102, and determining a majority of the votes casts as defined in Section 103, of the Election Rules and Regulations adopted by the Tribe;
10. Preparation and presentation of a **“Certification of Candidacy”** for any write-in candidate who has received an adequate number of votes to qualify as a majority or for placement in a run-off;
11. Preparation of a **“Certification of Election Results”**, and **“Certification of Run-Off Election Results”** and if applicable **“Certification of Special Election Results”** for submission to the Tribal Council, and;
12. Continue to carry out the duties and responsibilities of the position of Election Judge until conclusion of the election process and release from any and all obligations of the position.

Failure to fulfill the duties and responsibilities assigned the position of Election Judge, comply with the terms and conditions of the **“Oath of Office”**, **“Confidentiality Agreement”** and/or **“Duties and Responsibilities – Code of Conduct”** will result in action by the Tribal Council for removal from office. ⁶

Sec. 203. Certification of Candidacy

Within five (5) calendar days or sooner following the nominations, a meeting is to be scheduled and conducted by the four (4) Election Judges. During this meeting the list of nominated candidates is reviewed and a determination made whether the required qualifications as defined in **Section 201**, herein have been met. A **“Certification of Candidacy”** form, a sample of which follows, is completed and signed by all the Judges for presentation to the Tribal Council.

⁶ Sec. 202 Revised on January 23, 2012, by Tribal Resolution #2012-11; Revised on September 23, 2013, by Tribal Resolution #2013-69; Revised on September 23, 2014 by Tribal Resolution #2014-65

“CERTIFICATION OF CANDIDACY”

The Alabama-Coushatta Election Judges in accordance with the Alabama-Coushatta Tribes of Texas, Constitution and By-Laws, Article VIII- Elections, Section 4 which states,

“Any Resident Member of the Tribe, as defined by Article II, Section 7 of this Constitution who is no less than twenty-five (25) years of age, may be a candidate for election to the Tribal Council if said Resident member has maintained continuous residence within the territory of the Tribe, as defined in Article 1, Section 1 of this Constitution, for no less than one (1) year preceding the date of the Annual Election of the Tribe”

hereby certifies the following;

Name of Candidate:				
Address:				
Election Date:				
	Is		Is not	At least twenty-five (25) years of age
	Is		Is not	A Resident Member of the Alabama-Coushatta Tribe as defined in Article II, Section 7 of the Constitution.
	has		has not	Maintained continuous residence within the territory of the Tribe, as defined in Article I, Section 1 of the Constitution, for no less than one (1) year preceding the date of the Annual Election.

Pursuant to the documentation stated above, the candidate,

	does meet the qualifications for candidacy as stipulated in the Constitution.
	does not meet the qualifications for candidacy as stipulated in the Constitution.
	Candidate accepts the nomination and declares his/her intent for candidacy in the upcoming election.
	Candidate declines the nomination and officially withdraws his/her name from candidacy in the upcoming election.

Date:	Signature: Election Judge
Signature: Election Judge	Signature: Election Judge
Signature: Election Judge	⁷

⁷ Sec. 203 Revised on January 23, 2012, by Tribal Resolution #2012-11; Revised on September 23, 2013, by Tribal Resolution #2013-69; Revised on September 23, 2014 by Tribal Resolution #2014-65

Sec. 204. Approval of Official Ballot

Following acceptance of the certified candidates the Official Ballot for the current election year is approved by the Tribal Council. A sample ballot is distributed to the tribal membership by the posting of same in the Tribal Newsletter and/or other means as determined appropriate.

An opportunity for candidates added by write in is allowed during the primary election however no addition of candidates during the run-off election will be accepted and any votes they receive will not be counted. ⁸

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CHAPTER 3. VOTER QUALIFICATIONS

Sec. 301. Persons Qualified to Vote

As provided by **Article VIII, Section 3. Eligible Voters**, of the **Constitution and By-Laws of the Alabama-Coushatta Tribe of Texas**, the eligible voters of the Alabama-Coushatta Tribe of Texas are:

- “(a) All Resident Tribal members who are eighteen (18) years or older and who have maintained continuous residence within the territory of the Tribe, as defined in Article I, Section 1 of this Constitution, for a period of six (6) months prior to the date of any election, are eligible to vote in both the Annual Election of the Tribe or any Special Election; and*
- (b) All Non-Resident Tribal Members who are eighteen (18) years or older are eligible to vote only in the Annual Election of the Tribe or as provided for in this Constitution.”*

The term **“Annual Election”** as referenced herein shall include all phases of the annual voting process including Early Voting, Primary, Run-Off and election of the Tribal Chairperson.

Sec. 302. List of Eligible Voters

It shall be the responsibility of the Tribal Enrollment/Document Clerk to maintain a current list of eligible voters. This list shall be presented to the Tribal Council for

⁸ Sec. 204 Revised on September 23, 2014 by Tribal Resolution #2014-65

⁹ Sec 205 Omitted on September 22,2014 by Tribal Resolution #2014-65

acceptance as the official list of eligible voters for the current election and provided to the appointed Election Judges. This list is to be available at least thirty (30) calendar days prior to the election for Tribal Member review in the office of the Tribal Enrollment/Document Clerk during regular office hours, Monday thru Friday, and may be hand delivered to the household of all Tribal member residents on the reservation.

However, it is the personal responsibility of each tribal member that meets the voter qualifications as defined herein, to verify their placement on the current list of eligible voters. Qualified persons whose names are not reflected on the list must present prior to submission of the list to the Tribal Council.¹²

CHAPTER 4. CONDUCTING OF ELECTIONS

Sec. 401. Manner of Voting

Unless otherwise approved by the tribal membership, handwritten ballots are utilized for voting purposes in all Tribal elections.

Sec. 402. Ballot Box

The same ballot box is utilized for all votes cast. At all times, unless otherwise specified herein, the box and all keys are kept in Administration. The box shall be equipped with an opening in the top through which a ballot may be inserted, but must be constructed in such a manner that the box must be unlocked before the ballots can be removed.

Sec. 403. Early Voting

Although the main purpose of absentee voting is to provide an opportunity to qualified registered voters, who for whatever reason may not be available for the primary and/or runoff election day, to cast their vote. However, every qualified registered voter of the Tribe whose name appears on the approved list of eligible voters that presents himself/herself shall be entitled to vote.

Early voting is conducted the **Saturday prior** to the scheduled Election date and conducted in the Cultural Center, Tribal Council meeting area, or other place designated for this purpose. The polling place will be open at 7:00 a.m. and shall remain open continuously until 7:00 p.m. ***A minimum of two (2) Election Judges must be present at the polling place at all times while voting is being conducted.***¹³

¹² Sec. 302 Revised on January 23, 2012, by Tribal Resolution #2012-11; Revised on September 23, 2014 by Tribal Resolution #2014-65

¹³ Sec. 403 Revised on September 23, 2014 by Tribal Resolution#2014-65

Sec. 404. Primary, Runoff and/or Special Elections

At every primary, runoff and special election, the polling place shall be the Cultural Center, Tribal Council Meeting area, unless otherwise designated. The polling place will be open at 7:00 a.m. and shall remain open continuously until 7:00 p.m. and every qualified registered voter of the Tribe whose name appears on the approved list of eligible voters that presents himself/herself shall be entitled to vote. A minimum of two (2) Election Judges must be present at the polling place at all times while voting is being conducted. Once the polls close and the counting begins, all four (4) Election Judges must be present during the count until concluded.¹⁴

Sec. 404A. Special Elections

In accordance with **Article VIII, Section 2**, of the Alabama-Coushatta Tribe of Texas Constitution and By-Laws ***“the Special Elections shall be held when called for by the Tribal Council, by the Constitution or by the voters as provided for in the Constitution.”***¹⁵

Sec. 405. Special provisions for the Elderly and/or Infirm

Ballots may be personally delivered to the elderly and/or infirmed on the date of and during the regular polling hours designated for primary, runoff and/or special election voting who meet the following conditions;

1. they are a qualified registered voter of the Tribe whose name appears on the approved list of eligible voters;
2. they are unable to physically be present at the designated polling place to cast their vote due to either age and/or infirmity, and
3. a verbal request is submitted to Administration prior to the election date.

For those persons approved for this service, ballots shall be delivered by at least two (2) of the appointed Election Judges who shall witness the vote being cast and return the ballot to the official ballot box.¹⁶

Sec. 406. Electioneering Prohibited

No person shall be allowed to electioneer within three hundred (300') feet of any ballot box while an election is in progress. Electioneering shall include but not limited to the posting of signs, verbal discussion of candidates and/or election, display and/or exchange of voter/voting related written material.

¹⁴ Sec. 404 Revised on January 23, 2012, by Tribal Resolution #2012-11

¹⁵ Sec. 404A Added on January 23, 2012, by Tribal Resolution #2012-11; Revised on September 23, 2014, Tribal Resolution #2014-65

¹⁶ Sec. 405 Revised on January 23, 2012, by Tribal Resolution #2012-11

Title XIII – Election Rules and Regulations/C.C.J.**Sec. 407. Voter Must Vote Ballots Issued Him/Her**

No person shall vote any ballot except the ballot issued to that voter by the designated Election Judge and each ballot must be voted without removing same from polling place, except as stated in **Section 404**.

Sec. 408. Procedure for Determining Eligibility

Each person seeking to vote shall tell his/her name to the Election Judge on duty at the polling place, who shall then check the list of eligible voters to verify that persons eligibility.

Sec. 409. Identification of Voter

The Election Judges may determine the identity of voters by requesting identification such as a valid driver's license, C.D.I.B. card, voter identification card or any other Tribal or State identification card.

Sec. 410. Signing of Voter List

Persons appearing at the designated polling place to cast their votes must sign the voter list in the presence of an Election Judge. This signature is then utilized to confirm that person is listed on the approved eligible registered voter list for the Tribe.

Sec. 411. Procedure for Counting

The count shall be conducted in the presence of Election Judges only, and for the positions of Tribal Council shall be continued without adjournment until completed.

All of the Election Judges are present during the opening of the ballot box and one shall read the name of the candidates marked on the ballot out loud. Three (3) Judges will tally votes on separate official tally sheets. The tally shall continue until each person tallying has the same count for each candidate. The formula for determining whether a run-off election is required and who may be in the run-off is defined in **Section 102** herein, and determining a majority of the votes cast shall be as defined in **Section 103** herein.¹⁷

Sec. 412. Certifying Vote

At the conclusion of the primary official count, the Election Board shall post the election results in the front window of the Cultural Center. It shall also be the duty of the Election Judges to complete and execute a **“Certification of Election Results”** to be submitted to the Tribal Council at the next regularly scheduled council meeting. A sample certification which may be utilized is as follows;

“CERTIFICATION OF ELECTION RESULTS”

¹⁷ Sec. 411 Revised on September 23, 2013, by Tribal Resolution #2013-69

The Alabama-Coushatta Election Judges certify that _____ **Council positions** were placed on the _____, ballot for selection and, that all persons casting votes for purposes of same qualify as eligible voters in accordance with the **Constitution and Bylaws, Article VIII – Elections, Section 3. Eligible Voters**, which states, the eligible voters of the Alabama-Coushatta Tribe of Texas are:

- “(a) All Resident Tribal members who are eighteen (18) years or older and who have maintained continuous residence within the territory of the Tribe, as defined in Article I, Section 1 of this Constitution, for a period of six (6) months prior to the date of any election, are eligible to vote in both the Annual Election of the Tribe or any Special Election; and***
- (b) All Non-Resident Tribal Members who are eighteen (18) years or older are eligible to vote only in the Annual Election of the Tribe or as provided for in this Constitution.”***

Further, that all ballots cast for the 20__ Election have been duly counted and confirmed and the following shall serve as the **Official 20__ Election results.**

NAME OF CANDIDATE	TOTAL VOTES	ELECTED	ELIGIBLE FOR RUNOFF	INSUFFICIENT VOTES
CANDIDATES ADDED TO BALLOT BY VOTERS:				
1.				
2.				
3.				
4.				
5.				

TOTAL VOTES OF ALL CANDIDATES:	TOTAL VOTES CAST:
DATE:	TIME:
SIGNATURE: ELECTION JUDGE	SIGNATURE: ELECTION JUDGE
SIGNATURE: ELECTION JUDGE	SIGNATURE: ELECTION JUDGE

If a run-off election is required then upon conclusion of that count a **“Certification of Run-Off Election Results”** would be executed submitted to the Tribal Council and posted in the front window of the Cultural Center. It shall also be the duty of the Election Judges to issue a certification of election to the winning candidates. A sample of the Certification which may be utilized is as follows;

“CERTIFICATION OF RUN-OFF ELECTION RESULTS”

The Alabama-Coushatta Election Judges certify that _____ **Council positions** were placed on the _____, ballot. As certified by the Election Judges on _____, _____ candidates were deemed eligible for Runoff on _____, and all persons casting votes for purposes of same qualify as eligible voters in accordance with the **Constitution and Bylaws, Article VIII – Elections, Section 3. Eligible Voters**, which states, the eligible voters of the Alabama-Coushatta Tribe of Texas are:

- “(a) All Resident Tribal members who are eighteen (18) years or older and who have maintained continuous residence within the territory of the Tribe, as defined in Article I, Section 1 of this Constitution, for a period of six (6) months prior to the date of any election, are eligible to vote in both the Annual Election of the Tribe or any Special Election; and***
- (b) All Non-Resident Tribal Members who are eighteen (18) years or older are eligible to vote only in the Annual Election of the Tribe or as provided for in this Constitution.”***

Further, that all ballots cast for the 20____ Runoff Election have been duly counted and confirmed and the following shall serve as the **Official 20____ Runoff Election results.**

NAME OF CANDIDATE	TOTAL VOTES	ELECTED	INSUFFICIENT VOTES

TOTAL VOTES OF ALL CANDIDATES:	TOTAL VOTES CAST:
DATE:	

SIGNATURE: ELECTION JUDGE	SIGNATURE: ELECTION JUDGE
SIGNATURE: ELECTION JUDGE	SIGNATURE: ELECTION JUDGE

If a special election is required pursuant to Sec. 404A herein, then upon conclusion of that count a **“Certification of Special Election Results”** would be executed submitted to the Tribal Council and posted in the front window of the Cultural Center. It shall also be the duty of the Election Judges to issue a certification of election to the winning candidate. A sample of the Certification which may be utilized is as follows;

“CERTIFICATION OF SPECIAL ELECTION RESULTS”

The Alabama-Coushatta Election Judges certify that _____ Council positions were placed on the _____, ballot. As certified by the Election Judges on _____, _____ candidates were deemed eligible for this Special Election on _____, and all persons casting votes for purposes of same qualify as eligible voters in accordance with the **Constitution and Bylaws, Article VIII – Elections, Section 3. Eligible Voters**, which states, the eligible voters of the Alabama-Coushatta Tribe of Texas are:

- “(a) All Resident Tribal members who are eighteen (18) years or older and who have maintained continuous residence within the territory of the Tribe, as defined in Article I, Section 1 of this Constitution, for a period of six (6) months prior to the date of any election, are eligible to vote in both the Annual Election of the Tribe or any Special Election; and***
- (b) All Non-Resident Tribal Members who are eighteen (18) years or older are eligible to vote only in the Annual Election of the Tribe or as provided for in this Constitution.”***

Further, that all ballots cast for this Special Election have been duly counted and confirmed and the following shall serve as the **Official _____ Special Election** results.

NAME OF CANDIDATE	TOTAL VOTES	ELECTED	INSUFFICIENT VOTES

TOTAL VOTES OF ALL CANDIDATES:	TOTAL VOTES CAST:
DATE:	
SIGNATURE: ELECTION JUDGE	SIGNATURE: ELECTION JUDGE
SIGNATURE: ELECTION JUDGE	SIGNATURE: ELECTION JUDGE

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Sec. 413. Retention of Ballot Boxes and Election Results

All ballots and all materials used in conducting the primary official count shall be placed in the ballot box immediately after the count is completed. The box shall be locked and secured in Administration for a period of thirty (30) calendar days or if required, until a run-off is held. After, expiration of this time period and/or completion of the run-off election the ballots, tally of each election and the results thereof shall be retained in the permanent records and the box secured in Administration.

Sec. 414. Oath of Office

All persons selected to fill the vacated Tribal Council positions during the annual election are sworn and take office at the first regular scheduled Tribal Council meeting in January . Persons selected to fill a vacated Tribal Council position in a special election will be sworn and take office at the first regular scheduled Tribal Council meeting following the conclusion of that election.

It shall be the responsibility of the Tribal Chiefs to administer the oath of office to all newly and/or re-elected Tribal Council members. A sample of the Oath which may be utilized is as follows;

OATH OF OFFICE

I, _____ hereby swear or affirm that I accept the office of **TRIBAL COUNCIL** and I shall perform the duties of this office to the best of my ability and skills in accordance with the Constitution and By-Laws of the Alabama-Coushatta Tribe of Texas, so help me God.

Signature of Tribal Council Member

Signature of Administering Officer

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¹⁸ Sec. 412 Revised on January 23, 2012, by Tribal Resolution #2012-11; Revised on September 23, 2013, by Tribal Resolution #2013-69; Revised on September 23, 2014 by Tribal Resolution #2014-65

¹⁹ Sec. 414 Revised on January 23, 2012, by Tribal Resolution #2012-11

CHAPTER 5. ELECTION OF TRIBAL COUNCIL CHAIRPERSON²⁰

Sec. 501. Authority

In accordance with Article V. Section 4 of the Constitution and By-Laws of the Alabama-Coushatta Tribe of Texas, after the Annual Election for membership on the Tribal Council has been certified, the eligible voters of the Tribe will elect a Chairperson of the Tribal Council from the seven (7) members of the Tribal Council. The Chairperson shall be determined to be the member receiving the highest number of votes cast and will serve until the next Annual Election. ²¹

Sec. 502 Request for Removal for Consideration

Following the Certification of the Annual Election, the existing and newly elected members of the Tribal Council will have five (5) calendar days from conclusion of the annual election in which to file a Petition for Removal from Consideration for the position of Tribal Chairperson. This Petition is to be filed with the Election Judges if they do not want to be placed on the ballot for that position. A sample Petition is as follows:

**PETITION FOR REMOVAL FROM CONSIDERATION
 FOR THE POSITION OF TRIBAL CHAIRPERSON**

DATE:		NAME:	
<p>In accordance with Title XIII – Election Rules and Regulations, Sec. 502 of the A-C, C.C.J, an existing or newly elected Tribal Council Member will have five (5) calendar days from conclusion of the annual election in which to file a “Petition for Removal from consideration for the position of Tribal Chairperson.</p> <p>Therefore, I hereby submit this Petition which will serve as my formal request that my name be removed from the ballot for election of this position.</p>			
Signature of Tribal Council Member:			
Date Received:			
Signature of Election Judge:			

²⁰ Chapter 5 added on September 23, 2014 by Tribal Resolution #2014-65

²¹ Sec. 501 added on September 23, 2014, by Tribal Resolution #2014-65

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Sec. 503 Applicable Timelines

The Approval of the Official Ballot for election of the position of Tribal Chairperson, the Election and, Certification of Election Results must be completed to allow for the seating of this position and selection of the remaining Tribal Council Officers by the first Tribal Council meeting in January.

Any and all other timelines and/or requirements for annual and/or special elections shall not apply.²³

²² Sec. 502 added on September 23, 2014, by Tribal Resolution #2014-65

²³ Sec.505 Added on September 23, 2014 by Tribal Resolution #2014-65