



NCA 12-233

CLASSIFICATION: #22. HEALTH AND SAFETY

A LAW OF THE MUSCOGEE (CREEK) NATION AMENDING CERTAIN PROVISIONS IN MCNCA TITLE 22, CHAPTER 10 IN ORDER TO FULLY COMPLY WITH THE FEDERAL SEX OFFENDER REGISTRATION AND NOTIFICATION ACT

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

SECTION ONE. AMENDMENT. MCNCA Title 22, §10-301C., is hereby amended to read as follows:

C. Certain Federal Offenses. Conviction for any of the following federal offenses shall be considered a conviction for a "Tier 1" offense:

1. 18 U.S.C. §1801 (video voyeurism of a minor),
2. 18 U.S.C. §2252 (receipt or possession of child pornography),
3. 18 U.S.C. §2252A (receipt or possession of child pornography),
4. 18 U.S.C. §2252B (misleading domain names on internet),
5. 18 U.S.C. §2252C (misleading words or digital images on the internet),
6. 18 U.S.C. §2422(a) (coercion to engage in prostitution),
7. 18 U.S.C. §2423(b) (travel with the intent to engage in illicit conduct),
8. 18 U.S.C. §2423(c) (engaging in illicit conduct in foreign places),
9. **18 U.S.C. § 2423(d) (arranging, inducing, procuring, or facilitating the travel in interstate commerce of an adult for the purpose of engaging in illicit conduct for financial gain),**
910. 18 U.S.C. §2424 (failure to file factual statement about an alien individual), or
4011. 18 U.S.C. §2425 (transmitting information about a minor to further criminal sexual conduct).

SECTION TWO. AMENDMENT. MCNCA Title 22, §10-302C., is amended to read as follows:

C. Offenses Involving Minors. A "Tier 2" Offense includes any sex offense that involves:

1. The use of minors in prostitution, including solicitations,
2. Enticing a minor to engage in criminal sexual activity,
3. Sexual contact with a minor 13 years of age or older, whether directly or indirectly through the clothing, that involves the intimate parts of the body,
4. The use of a minor in a sexual performance,
5. The production or distribution of child pornography, or
6. **A non-forcible sexual act with a minor 16 or 17 years old.**

SECTION THREE. AMENDMENT. MCNCA Title 22, §10-302D., is amended to read as follows:

D. Certain Federal Offenses. Conviction for any of the following federal offenses shall be a "Tier 2" offense:

1. 18 U.S.C. §1591 (sex trafficking by force, fraud, or coercion),
- ~~2. 18 U.S.C. §2243 (sexual abuse of a minor or ward),~~
23. 18 U.S.C. §2244 (abusive sexual contact, where the victim is 13 years of age or older),
34. 18 U.S.C. 2251 (sexual exploitation of children),
45. 18 U.S.C. 2251A (selling or buying of children),
56. 18 U.S.C. 2252 (material involving the sexual exploitation of a minor),
67. 18 U.S.C. 2252A (production or distribution of material containing child pornography),
78. 18 U.S.C. 2260 (production of sexually explicit depictions of a minor for import into the United States),
89. 18 U.S.C. §2421 (transportation of a minor for illegal sexual activity),
940. 18 U.S.C. §2422(b) (coercing a minor to engage in prostitution),
1044. 18 U.S.C. §2423(a) (transporting a minor to engage in illicit conduct), or
1142. **18 U.S.C. 2423(d) (arranging, inducing, procuring, or facilitating the travel in interstate commerce of a minor for the purpose of engaging in illicit conduct for financial gain).**

SECTION FOUR. AMENDMENT. MCNCA Title 22, §10-303C., is amended to read as follows:

C. Certain Federal Offenses. Conviction for any of the following federal offenses shall be a "Tier 3" offense:

1. 18 U.S.C. §2241 (aggravated sexual abuse),
2. 18 U.S.C. §2242 (sexual abuse),
3. **18 U.S.C. §2243 (sexual abuse of a minor or ward), or**
4. **Where the victim is 12 years of age or younger, 18 U.S.C. § 2244 (abusive sexual contact).**

SECTION FIVE. AMENDMENT. MCNCA Title 22, Chapter 10, is hereby amended to add a new §10-420, entitled "International Travel," to read as follows:

§10-420. International Travel

A. Any sex offender residing within the jurisdiction of the Muscogee (Creek) Nation who intends to travel outside the United States must inform the Lighthouse of their intent 21 days in advance of travel.

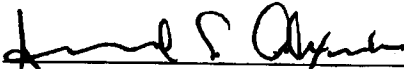
B. Duties of Lighthouse. With regard to a sex offender's travel abroad, the Lighthouse shall immediately:

1. **Notify the U.S. Marshals Service of that updated information,**
2. **Notify any other jurisdiction where the sex offender is either registered or required to register of the updated information,**
and
3. **Make updates to NCIC/NSOR.**

SECTION SIX. 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 17th day of November, 2012.

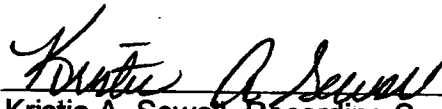
IN WITNESS WHEREOF, the Speaker of the Muscogee (Creek) National Council has hereto attached his signature.



Samuel S. Alexander, 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 Eighteen members with Sixteen members attending this meeting on the 17th day of November, 2012 and that the above is in conformity with the provisions therein adopted by a vote of 15 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.



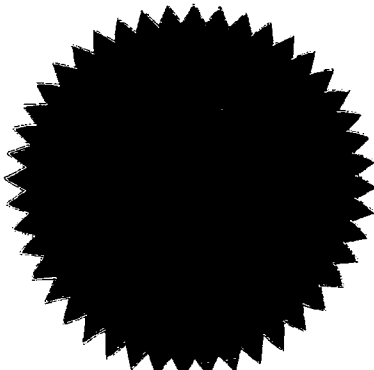
Kristie A. Sewell, Recording Secretary
Muscogee (Creek) National Council

APPROVAL

I, the Principal Chief of the Muscogee (Creek) Nation, hereby affix my signature on this 26th day of Nov, 2012 to the above Law, **NCA 12-233** authorizing it to become a Law under Article VI., Section VI., of the Constitution of the Muscogee (Creek) Nation.



George Tiger, Principal Chief
Muscogee (Creek) Nation





NCA 12-233

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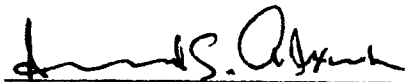
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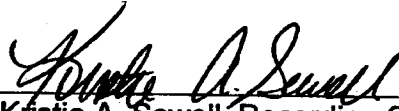
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Samuel S. Alexander, Speaker
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Kristie A. Sewell, Recording Secretary
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