

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0070-26_

SPONSOR: Dr. Andy Nez

TITLE: An Action Relating to the Law and Order and Naabik'iyáti' Committees and the Navajo Nation Council; Amending Title 11 of the Navajo Nation Code to Establish Forfeiture of Position by Elected and Appointed Officials who Fail to Subscribe and Swear to the Oath of Office

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LEGISLATIVE SUMMARY SHEET

Tracking No. 00 70-26

DATE: April 7, 2026

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND THE NAVAJO NATION COUNCIL; AMENDING TITLE 11 OF THE NAVAJO NATION CODE TO ESTABLISH FORFEITURE OF POSITION BY ELECTED AND APPOINTED OFFICIALS WHO FAIL TO SUBSCRIBE AND SWEAR TO THE OATH OF OFFICE

PURPOSE: This legislation will amend 11 N.N.C. § 6 establishes a forfeiture of office by elected and appointed officials who fail to subscribe and swear to the Oath of Office.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: Simple Majority

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Al Mike III
Website Posting Time/Date: _____
Posting End Date: 4/12/26
Eligible for Action: 4/13/26

Law & Order Committee
Thence
Naabik'iyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL—Fourth Year, 2026

Introduced by



Primary Sponsor

Tracking No. 0070-26

AN ACTION

**RELATING TO LAW AND ORDER AND NAABIK'ÍYÁTI' COMMITTEES AND
THE NAVAJO NATION COUNCIL; AMENDING TITLE 11 OF THE NAVAJO
NATION CODE TO ESTABLISH FORFEITURE OF POSITION BY ELECTED
AND APPOINTED OFFICIALS WHO FAIL TO SUBSCRIBE AND SWEAR TO
THE OATH OF OFFICE**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee of the Navajo Nation Council, pursuant to 2 N.N.C. § 601(B)(14), reviews and makes recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code.
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. Pursuant to 2 N.N.C. § 164(A)(9), the committee reviews proposed legislation which requires final action by the Navajo Nation Council.
- C. The Navajo Nation Council enacts laws and sets policy for the Navajo Nation. 2 N.N.C. § 102.

1 **SECTION TWO. FINDINGS**

- 2 A. Under the Navajo Nation Election Code, all elected and appointed officials are
- 3 required to subscribe and swear to the Oath of Office and shall not serve or be
- 4 permitted to act as an official until after the Oath is taken. 11. N.N.C. § 6(G).
- 5 B. There is a need for amendments to the Navajo Nation Election Code to establish
- 6 forfeiture of position by elected and appointed officials who fail to subscribe and
- 7 swear to the Oath of Office.
- 8 C. The Navajo Board of Election Supervisors supports and recommends amending the
- 9 Election Code at 11 N.N.C. § 6, as provided in attached **Exhibit A**.

10
11 **SECTION THREE. AMENDING TITLE 11**

- 12 A. The Navajo Nation Council hereby amends the Navajo Nation Code, 11 N.N.C. § 6
- 13 as follows:

14
15 **THE NAVAJO NATION CODE**
16 **TITLE 11 ELECTIONS**
17 **Chapter 1 Navajo Election Code of 1990**
18 **Subchapter 1. General Provisions**

19 * * * *

20 **§6. Terms of Office: Oath**

21 * * * *

- 22 G. All elected and appointed officials of the Navajo Nation shall subscribe and
- 23 swear to the Oath of Office ~~(see Appendix to CAP-23-90)~~. No individual shall
- 24 serve as an elected or as an appointed official or be permitted to act as an elected
- 25 or an appointed official until after certification by the Election Board and an oath
- 26 of office is taken or administered as prescribed by law or pursuant to rules and
- 27 regulations of the Navajo Board of Election Supervisors. ~~By virtue of an~~
- 28 ~~appointment shall not constitute a full term of an appointed member.~~

- 29 1. A candidate who has received the highest vote for a position or has been
- 30 appointed and does not take his or her Oath of Office by the prescribed time

1 or within the time designated by the Navajo Election Administration shall be
2 deemed to have forfeited his or her position.

3 2. Grievances concerning forfeiture of position under this section shall be filed
4 no later than ten (10) days of written notice of such action as issued by the
5 Navajo Election Administration. Standing for such grievances shall be limited
6 to candidates determined to have forfeited their elected positions.

7 3. The Navajo Board of Election Supervisors shall implement the intent and
8 purposes of this section through Rules and Regulations.

9 H. Serving an unexpired term, either by election or appointment, shall not
10 constitute service of a full term for purposes of the Election Code.

11 * * * *

12
13
14 **SECTION FOUR. CODIFICATION**

15 The provisions of the Act which amend or adopt new sections of the Navajo Nation Code
16 shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel
17 shall incorporate such amended provisions in the next codification of the Navajo Nation
18 Code.

19
20 **SECTION FIVE. SAVING CLAUSE**

21 Should any provision of this Act be determined to be invalid by the Navajo Nation
22 Supreme Court or the District Courts of the Navajo Nation, without appeal to the Navajo
23 Nation Supreme Court, the remainder of the Act shall remain the law of the Navajo Nation.

24
25 **SECTION SIX. EFFECTIVE DATE**

26 The amendments enacted herein shall be effective upon its approval pursuant to 2 N.N.C.
27 §221 and 2 N.N.C. § 1005 (C)(10-12).