

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0169-26_

SPONSOR: Amber Kanazbah Crotty

TITLE: An Act Relating to the Law and Order and the Naabik'iyáti' Committees, and the Navajo Nation Council; Amending the Navajo Nation Election Code at 11 N.N.C § 241 (A) to Reduce the Signature Requirements for a Recall Petition

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0169-26

DATE: June 26, 2026

TITLE OF RESOLUTION: AN ACT RELATING TO THE LAW AND ORDER AND THE NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING THE NAVAJO NATION ELECTION CODE AT 11 N.N.C. § 241(A) TO REDUCE THE SIGNATURE REQUIREMENTS FOR A RECALL PETITION

PURPOSE: This legislation, if approved, would amend the Navajo Nation Election Code at 11 N.N.C. § 241(A) to reduce the recall petition signature requirement from 45% to 10%, thereby making the recall process more accessible to Navajo voters while maintaining a meaningful signature requirement before a recall measure may proceed to an election.

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: 1-10
Website Posting Time/Date: _____
Posting End Date: 07-07-26
Eligible for Action: 07-08-26

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

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

Introduced By:



Primary Sponsor



Tracking No. 0169-26

AN ACT

RELATING TO THE LAW AND ORDER AND THE NAABIK'ÍYÁTI'
COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING
THE NAVAJO NATION ELECTION CODE AT 11 N.N.C. § 241(A) TO
REDUCE THE SIGNATURE REQUIREMENTS FOR A RECALL
PETITION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council with the enumerated power to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code. 2 N.N.C. §§ 600(A) and 601(B)(14).
- B. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the authority to hear proposed resolutions requiring final action by the Navajo Nation Council. 2. N.N.C. §§ 164 (A)(9), 700 (A) and 701 (A)(3).
- C. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

SECTION TWO. FINDINGS

- A. Within the Navajo Nation, *Diné* voters, as in any democratic society, freely elect their leaders. 11 N.N.C. § 1 *et seq.* Those elected serve a representative role.
- B. Recall mechanisms serve a recognized function in representative democracy by providing continuous accountability between elections, allowing voters to remove an unresponsive or irresponsible official without waiting until the end of a term. Political science scholarship further recognizes that the availability of a usable recall process carries value independent of how often it is invoked, in that it reinforces public trust in the representative system and the principle that elected officials remain answerable to the people who chose them. *See* Pierre-Etienne Vandamme, *Can the Recall Improve Electoral Representation?*, 2 *Frontiers in Pol. Sci.* 6 (2020) attached as **Exhibit A**. At the same time, the same research recognizes that a threshold set too low can invite frequent or strategically motivated petitions, which counsels preserving a meaningful signature requirement even as the threshold is lowered to improve accessibility.
- C. On the Navajo Nation, this accountability function is codified at 11 N.N.C. § 241, under which elected officials are subject to recall by voters. Section 241(A) was last amended through Resolution No. CN-79-18, which changed the recall petition signature requirement from 60% to the current 45% requirement. Under the current law, a petition for recalling an elected official must be signed by at least 45% of the voters who participated in the last election for the office held by the official sought to be recalled. *See* CN-79-18. If the 45% signature requirement is met, ballots are prepared and a special recall election is conducted in accordance with 11 N.N.C. § 244.
- D. Generally, the 45% signature requirement of the Navajo Nation is higher than other jurisdictions where recall elections are permitted. For example, regarding elected officials in Arizona, the number of petition signatures (before a recall election is held) must equal to at least 25% of votes cast in the last general election for the position held by the official sought to be recalled. Ariz. Const. Art. VIII, pt. 1, § 1; A.R.S. § 19-201.

- 1 E. New Mexico also permits recall for certain local elected officials, and its threshold is
2 lower than the Navajo Nation's requirement. Under New Mexico's Recall Act, the
3 minimum number of verified signatures required to validate a recall petition is 33⅓%
4 of the total number of voters who voted for all candidates for the elected position at
5 the last election where the named official was elected. N.M. Stat. Ann. § 1-25-7(C).
- 6 F. Utah does not currently provide a general recall process for elected officials. Because
7 Utah does not have a comparable recall petition threshold, the Navajo Nation's 45%
8 recall petition requirement is best compared with jurisdictions such as Arizona and
9 New Mexico, where recall elections are authorized and where the applicable signature
10 thresholds are lower than the Navajo Nation's current requirement.
- 11 G. Reducing the recall petition signature requirement from 45% of the voters who
12 participated in the last election of the official sought to be recalled to 10% makes the
13 recall process more accessible to Navajo voters and strengthens their ability to hold
14 elected officials accountable, while preserving a meaningful threshold. That threshold
15 ensures recall remains reserved for cases of genuine constituent concern rather than
16 ordinary political disagreement.

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18 **SECTION THREE. AMENDING TITLE 11 OF THE NAVAJO NATION CODE**

19 The Navajo Nation Council hereby amends Title 11 of the Navajo Nation Code as
20 follows:

21 _____
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23 **TITLE 11. ELECTIONS**

24 **CHAPTER 1. NAVAJO ELECTION CODE OF 1990**

25 **SUBCHAPTER 13. REMOVAL OF OFFICIALS; PLACEMENT OF**
26 **OFFICIALS ON ADMINISTRATIVE LEAVE; RECALL; FILLING**
27 **VACANCY**

28 * * *

29
30 **§ 241. Officials subject to recall; recall affidavit; recall petition**

1 A. All elected officials may be removed from office if ~~forty-five~~ ten (10%) of the
2 registered voters who voted in the last election for the office in question file a
3 petition seeking the official's removal.
4

5 * * *

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8 **SECTION FOUR. CODIFICATION**

9 The provision of these amendments of the Navajo Nation Code shall be codified by the
10 Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such
11 amended provisions in the next codification of the Navajo Nation Code.
12

13 **SECTION FIVE. SAVING CLAUSE**

14 If any provision of this Act is determined invalid by the Supreme Court of the Navajo
15 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation
16 Supreme Court, the remainder of this Act shall remain the law of the Navajo Nation.
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18 **SECTION SIX. EFFECTIVE DATE**

19 This Action shall become effective in accordance with 2 N.N.C. § 221(A) and (B).
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