

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0224-26

SPONSOR: Andy Nez

TITLE: An Act Relating to the Law and Order and the Naabik'íyáti' Committees; and the Navajo Nation Council; Amending 2 N.N.C. § 164(A)(8) to Provide that a Standing Committee's Failure to place properly assigned proposed Resolution on the Committee's Next Meeting Agenda Shall be Deemed Action by the Committee

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Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0224-26

DATE: October 6, 2026

TITLE OF RESOLUTION: AN ACT RELATING TO THE LAW AND ORDER AND THE NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 164(A)(8) TO PROVIDE THAT A STANDING COMMITTEE'S FAILURE TO PLACE A PROPERLY ASSIGNED PROPOSED RESOLUTION ON THE COMMITTEE'S NEXT MEETING AGENDA SHALL BE DEEMED ACTION BY THE COMMITTEE

PURPOSE: This legislation, if approved, would amend 2 N.N.C. § 164(A)(8) to establish timelines for committee consideration of proposed resolutions by defining the next committee meeting at which a Chairperson must place a properly assigned proposed resolution on the agenda, and would provide that the failure to place a proposed resolution on that agenda, or a standing committee's failure to convene within thirty (30) calendar days following the expiration of the public comment period, shall be deemed action by the committee, requiring the Office of Legislative Services to record the deemed action, prepare a written report stating that no substantive action was taken, and allow the proposed resolution to move forward as provided in 2 N.N.C. § 164(A)(11), or to the Naabik'íyáti' Committee for final action where the standing committee held final approval authority.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: 2/3 vote of the full membership of the Council

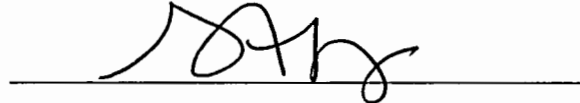
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 11/11/26
Website Posting Time/Date: _____
Posting End Date: 10/11/26
Eligible for Action: 10/12/26

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. 0224-26

AN ACT

RELATING TO THE LAW AND ORDER AND THE NAABIK'ÍYÁTI'
COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING 2
N.N.C. § 164(A)(8) TO PROVIDE THAT A STANDING COMMITTEE'S
FAILURE TO PLACE A PROPERLY ASSIGNED PROPOSED
RESOLUTION ON THE COMMITTEE'S NEXT MEETING AGENDA
SHALL BE DEEMED ACTION BY THE COMMITTEE

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'iyáti' 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).

1 **SECTION TWO. FINDINGS**

- 2 A. 2 N.N.C. § 164(A) establishes the legislative process of the Navajo Nation Council
3 and its standing committees. Under 2 N.N.C. § 164(A)(8), following the expiration
4 of the public comment period, a proposed resolution is forwarded to the
5 Chairperson of the appropriate standing committee, and the Chairperson shall place
6 the proposed resolution on the committee's agenda for consideration *at the next*
7 *committee meeting.* (emphasis added)
- 8 B. The duty imposed on the Chairperson by 2 N.N.C. § 164(A)(8) is mandatory. The
9 Navajo Nation Council finds, however, that the Subsection presently attaches no
10 consequence to a Chairperson's failure to perform that duty. As a result, a properly
11 introduced and properly assigned proposed resolution may be held indefinitely at
12 the discretion of a single Chairperson without ever being considered, amended,
13 tabled, or voted upon by the standing committee to which the Speaker of the
14 Navajo Nation Council assigned it pursuant to 2 N.N.C. § 164(A)(5).
- 15 C. The Navajo Nation Council further finds that this omission is inconsistent with the
16 right of council delegates to introduce proposed resolutions under 2 N.N.C. §
17 164(A)(1), with the Council's supervision of delegated powers under 2 N.N.C. §
18 102(C), and with the ordered progression of legislation contemplated by 2 N.N.C. §
19 164(A)(9) through (13). Indefinite inaction functions as an absolute veto that the
20 Navajo Nation Council has never delegated to any Chairperson or standing
21 committee.
- 22 D. The Navajo Nation Code already treats the absence of an affirmative committee
23 decision as a resolved matter for purposes of moving legislation forward. A
24 resolution tabled by a committee without final approval authority moves forward to
25 the subsequent assigned committee or to the Navajo Nation Council, and a
26 resolution that does not receive sufficient vote for passage in such a committee
27 likewise moves forward. 2 N.N.C. § 164(A)(11) and (12). Where the voting results
28 of a committee holding final approval authority conflict with those of other
29 assigned committees, the matter is referred to the Naabik'íyáti' Committee for final
30

1 action notwithstanding any other delegation of final approval authority. 2 N.N.C. §
2 164(A)(12).

3 E. Standing committees are required to meet for at least two (2) days each month. 2
4 N.N.C. § 183(B). A proposed resolution forwarded to a Chairperson following the
5 close of the public comment period should therefore, in the ordinary course, receive
6 committee consideration within thirty (30) calendar days.

7 F. It is necessary and proper to provide that a Chairperson's failure to place a properly
8 assigned proposed resolution on the committee's agenda, and a standing
9 committee's failure to convene within thirty (30) calendar days, shall be deemed
10 action by the committee, so that the proposed resolution advances to the next
11 assigned committee or to the Navajo Nation Council with a written report reflecting
12 that no substantive action was taken.

13 G. The amendment set forth in Section Three below, does not limit the authority of
14 any standing committee to approve, amend, table, or disapprove a proposed
15 resolution properly before it. The amendment addresses only the failure to place the
16 matter before the committee at all.

17
18 **SECTION THREE. AMENDING TITLE 2 OF THE NAVAJO NATION CODE**

19 A. The Navajo Nation Council hereby amends 2 N.N.C. § 164(A)(8) of the Navajo
20 Nation Code as follows:

21 _____
22
23 **TITLE 2. NAVAJO NATION GOVERNMENT**
24 **CHAPTER 3. LEGISLATIVE BRANCH**
25 **SUBCHAPTER 2. NAVAJO NATION COUNCIL MEETINGS**

26 * * *

27
28 **§ 164. Navajo Nation Council and committee legislative process**

29 A. Statements of policy, enactment of positive law, intergovernmental agreements,
30 budget resolutions, and reallocations, must be reviewed and approved by resolution

1 by the appropriate standing committee(s) and the Navajo Nation Council except as
2 otherwise provided herein.

3 8. Following the expiration of the public comment period, the proposed
4 resolution shall be forwarded to the Chairperson of the appropriate standing
5 committee, and the Chairperson shall place the proposed resolution on the
6 committee's agenda for consideration by the standing committee at the next
7 committee meeting. The Chairperson may also include an assigned memorial
8 on the agenda. Action by the committee shall be in a written report and
9 submitted to Council or another authorized committee.

10 a. For purposes of this Subsection, "the next committee meeting"
11 means the next regular meeting of the standing committee held
12 after the expiration of the public comment period.

13 b. If the Chairperson fails to place the proposed resolution on the
14 agenda of the next committee meeting as required by this
15 Subsection, or if the standing committee fails to hold a meeting
16 within thirty (30) calendar days after the expiration of the public
17 comment period, the failure shall be deemed action by the
18 committee. The Office of Legislative Services shall record the
19 deemed action and shall prepare a written report stating that the
20 standing committee took no substantive action on the proposed
21 resolution. The proposed resolution shall thereafter move forward
22 as provided in 2 N.N.C. § 164(A)(11). The report prepared under
23 this Subsection satisfies the written report requirement of this
24 Subsection and of 2 N.N.C. § 189(A).

25 c. If the sponsor or a co-sponsor of the proposed resolution is
26 unavailable to present the matter to the standing committee, the
27 sponsor shall provide written notice to the Chairperson prior to the
28 meeting, and the proposed resolution shall be placed on the agenda
29 for the next regular meeting of the standing committee.
30

- 1 d. Where the standing committee that failed to act holds final
2 approval authority over the proposed resolution, the proposed
3 resolution shall be referred to the Naabik'íyáti' Committee for
4 final action, notwithstanding any other delegations to other
5 committees of final approval authority.
6 e. The Office of Legislative Services shall provide written notice of a
7 deemed action under this Subsection to the sponsor of the proposed
8 resolution, to the Chairperson of the standing committee, and to the
9 Speaker of the Navajo Nation Council within five (5) calendar
10 days of the deemed action.

11 * * *

12
13
14 **SECTION FOUR. CODIFICATION**

15 The provision of these amendments of the Navajo Nation Code shall be codified by the
16 Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such
17 amended provisions in the next codification of the Navajo Nation Code.

18
19 **SECTION FIVE. SAVING CLAUSE**

20 If any provision of this Act is determined invalid by the Supreme Court of the Navajo
21 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation
22 Supreme Court, the remainder of this Act shall remain the law of the Navajo Nation.

23
24 **SECTION SIX. EFFECTIVE DATE**

25 This Act shall become effective in accordance with 2 N.N.C. § 221(A), (B), and
26 1005(C)(10)-(11).

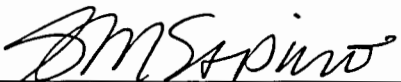
Office of Legislative Counsel
Telephone: (928) 871-7166
Fax No. (928) 871-7576



Honorable Crystalyne Curley
Speaker
25th Navajo Nation Council

MEMORANDUM

TO: Honorable Andy Nez, *Ph.D.*
Health, Education and Human Services Committee
25th Navajo Nation Council

FROM: 
G. Michelle Espino, *Chief Legislative Counsel*
Office of Legislative Counsel

DATE: October 6, 2026

SUBJECT: **AN ACT RELATING TO THE LAW AND ORDER AND THE NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING 2 N.N.C. § 164(A)(8) TO PROVIDE THAT A STANDING COMMITTEE'S FAILURE TO PLACE A PROPERLY ASSIGNED PROPOSED RESOLUTION ON THE COMMITTEE'S NEXT MEETING AGENDA SHALL BE DEEMED ACTION BY THE COMMITTEE**

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like to make to the proposed resolution.