

CHAPTER 204 - CRIMES AGAINST THE REVENUE AND PROPERTY OF THIS
TRIBE

SECTION 204.010	Unlawful use of public money: Amount less than \$250.
SECTION 204.020	Unlawful use of public money: Amount of \$250 or more.
SECTION 204.030	Misappropriation and falsification of accounts by public officer.
SECTION 204.040	Penalty for neglect or refusal to pay over.
SECTION 204.050	Misappropriation by Tribal Finance Officer.
SECTION 204.080	Private use of state motor vehicle prohibited.

SECTION 204.010 Unlawful use of public money: Amount less than \$250. Every public officer or other person who has in his possession, control or custody any public money belonging to this Tribe or to whom any such public money is entrusted for safekeeping, or for transmission to any treasurer, other officer or person entitled to receive it, who uses any of the public money for his own private purposes, or for any purpose other than one authorized by law, shall, if the amount so unlawfully used is less than \$250, be punished for a **Category C, D, or E offense**.

SECTION 204.020 Unlawful use of public money: Amount of \$250 or more. A public officer or other person who has in his possession, control or custody any public money belonging to this Tribe or to whom any such public money is entrusted for safekeeping or for transmission to any treasurer or other officer, or other person entitled to receive it, who uses any of the public money for his own private purposes, or for any purpose other than one authorized by law, if the amount unlawfully used is \$250 or more, is guilty of a **Category A offense**. In addition to any other penalty, the court shall order the person to pay restitution.

SECTION 204.030 Misappropriation and falsification of accounts by public officer.

1. It is unlawful for any public officer, and any other person receiving money on behalf of, or for or on account of, this Tribe or of any department of the Tribal Government.

(a) Knowingly to keep any false account, or make any false entry or erasure in any account, of or relating to any money so received by him;

(b) Fraudulently to alter, falsify, conceal, destroy or obliterate any such account; or

(c) Willfully to omit or refuse to pay over to the Tribe, its officer or agent authorized by law to receive the money or to the proper officer or authority empowered to demand and receive it, any money received by him as such an officer when it is a duty imposed upon him by law to pay over and account for the money.

2. A person who violates any of the provisions of subsection 1 shall be punished:

(a) Where the amount involved is \$250 or more, for a **Category A offense**.

(b) Where the amount involved is less than \$250, for a **Category C, D, or E offense**.

SECTION 204.040 Penalty for neglect or refusal to pay over. If any clerk, tribal judge, sheriff, constable or tribal police officer, who may receive any fine or forfeiture, shall refuse or neglect to pay over the same according to law, and within 30 days after the receipt thereof, he shall, in addition to being imprisoned and punished as provided by law, be liable upon his official bond for the amount thereof, with 50 percent damages and interest, to be recovered in like manner as for failing to pay over money received on execution.

SECTION 204.050 Misappropriation by Tribal Finance Officer.

A tribal finance officer who willfully misappropriates any money, funds or securities received by or deposited with him as tribal finance officer, or who is guilty of any other malfeasance or willful neglect of duty in his office, shall be punished:

1. Where the amount misappropriated is \$250 or more, for a **Category A offense**. In addition to any other penalty, the court shall order the person to pay restitution.
2. Where the amount misappropriated is less than \$250, for a **Category C, D, or E offense**.

SECTION 204.080 Private use of tribal motor vehicle prohibited.

1. It shall be unlawful for any individual, individuals or groups of individuals, whether an employee or employees of the Tribe or not, to use any automobile, truck or other means of mechanical conveyance, property of the Tribe, for their own private use.

2. A violation of any provision of this section by any person other than an officer or employee of the tribe is a **Category C, D, or E offense**.

3. A violation of any provision of this section by an officer or employee of the tribe shall constitute malfeasance in office.