



KIOWA TRIBE

P.O. Box 369 • Carnegie, Oklahoma • 73015
Phone: (580) 654-6338 • Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE

KIOWA TRIBE RESOLUTION NO. KL-CY-202025-00X

FIRST AMENDMENT TO THE 2018 NEPOTISM PREVENTION ACT

At a duly called Session of the Legislature of the Kiowa Tribe held this ____ day of _____, the following Resolution and Law were adopted.

WHEREAS, the Kiowa Tribe is a sovereign nation since time immemorial; and,

WHEREAS, the Tribe has the right to full enjoyment of the inherent powers of government, including self-determination and autonomy over internal affairs; and,

WHEREAS; the Legislature is vested with the authority to pass laws and resolutions pursuant to Article VI, Section 6(a) of the Constitution of the Kiowa Tribe; and,

WHEREAS; the Kiowa Tribe enacted the NEPOTISM PREVENTION ACT OF 2018 in same year consistent with the determination of the Legislature that it is in the best interests of the Tribe to prohibit an employee or official of the Tribe from hiring a close relative (in the first degree), or to directly supervise a close relative, in order to ensure the integrity of the personnel and management systems, and to otherwise avoid any appearance of impropriety; and,

WHEREAS; the Kiowa Tribe enacted the NEPOTISM PREVENTION ACT OF 2018 in same year consistent with the determination of the Legislature that it is in the best interests of the Tribe to prohibit an employee or official of the Tribe from hiring a close relative (in the first degree), or to directly supervise a close relative, in order to ensure the integrity of the personnel and management systems, and to otherwise avoid any appearance of impropriety; and,

WHEREAS; the Legislature has determined that additional clarifications are necessary to ensure the equitable application and integrity of measures to prevent nepotism and fraternization within the personnel infrastructures of the Tribe;

NOW THEREFORE IT BE IT RESOLVED; that the Legislature hereby adopts the “First Amendment to the Nepotism Prevention Act of 2018.”

CERTIFICATION

The foregoing resolution KL-CY-2025-0XX, was duly voted upon by the Legislature on _____, 202__, at a Legislative Regular Session ___ () with a vote of () in favor and () opposed, () abstaining, and () absent, pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Michael Primus
Speaker of the Legislature

LEGISLATURE - RESOLUTION NO. KL-CY-2025-0XX:

SPONSOR: Cole DeLaune, District 4

CO-SPONSOR(S):

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héngyádaù
Kyle Ataddlety District 1				
Michael Primus District 2				
Timothy Satepauhoodle District 3				
Cole DeLaune District 4				
Tiya Rosario District 5				
Ben Wolf District 6				
Warren Queton District 7				

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2025-0XX was presented to the Chairman of the Kiowa Tribe on the _____ day of _____, 202__, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.

Michael Primus
Speaker of the Legislature

CHAIRMAN’S ACTION:

APPROVED

VETO - RETURNED TO LEGISLATURE WITH EXPLANATION:

On this ____ day of _____, 2025.

Lawrence Spottedbird
Chairman of the Kiowa Tribe

Presented by the Chairman to the Legislature on the ____ day of _____, 2025.

LEGISLATURE’S ACTION:

Override of Chairman’s veto:

YES

NO

C E R T I F I C A T I O N

The foregoing resolution KL-CY-2024-0XX was overridden with Order KLO-CY-2025-0XX and duly voted upon by the Legislature on _____, 2028, at a Legislative Order Session with a vote of _____ in favor and _____ opposed, and _____ abstaining, _____ Absent. Pursuant to the authority vested in the Legislature by the Constitution of the Kiowa Tribe.

Michael Primus
Speaker of the Legislature

LEGISLATORS	YES Hàu	NO Hàu:né	ABSTAIN Háun á	ABSENT Héngyádaù
Kyle Ataddlety District 1				
Michael Primus District 2				
Timothy Satepauhoodle District 3				
Cole DeLaune District 4				
Tiya Rosario District 5				
Ben Wolf District 6				
Warren Queton District 7				

Section 1.1 Short Title

This enactment shall be known as the “FIRST AMENDMENT TO THE NEPOTISM PREVENTION ACT OF 2018.”

Section 1.2 Purpose

These amendments are enacted to bolster the existing provisions and aims of the NEPOTISM PREVENTION ACT of 2018 with clarifying language as well as to address the absence of anti-fraternization measures within Tribe code.

Section 1.3 Findings

Section 1.3 shall be amended as follows:

- (a) The Legislature has enacted a law to create a system that provides for the fair and unbiased evaluation of candidates with respect to employment opportunities in the Tribe.
- (b) The Legislature has determined that it is in the best interests of the Tribe to further define terms incorporated into existing statute.
- (c) ~~Historically,~~ the Legislature has received complaints about Directors and other Hiring Authorities with the Tribe ~~hiring staffing, onboarding and/or~~ supervising Close Relatives, thereby creating the appearance of *and raising concerns regarding* ~~impropriety~~ the integrity and impartiality of personnel protocols.
- (d) ~~The Legislature does not intend to prohibit the hiring of Close Relatives of existing employees; however,~~ The Legislature ~~intends to create~~ *recognizes the imperative for* a system that provides for the fair and unbiased evaluation of candidates for employment opportunities in the Tribe.

Section 1.4 Definitions

Section 1.4 shall be amended as follows:

- (a) ~~“Close Relative” shall mean a family relative in the first degree, which shall be limited to including a mother/father, brother/sister, son/daughter, husband/wife, aunt/uncle to a nephew/niece, or first cousins. Mothers, fathers, sons, and daughters in-law shall be~~ any of the following:
 1. A family relative in the first degree, including mothers/fathers, brothers/sisters, sons/daughters, husbands/wives, aunts/uncles, nephews/nieces, or first cousins.
 2. Mothers-, fathers-, daughters-, and sons-in-law.
 3. Stepchildren and stepparents affiliated via legal or common law marriage, or by virtue of formal domestic partnership.

4. Family relatives of direct lineal ascendancy or descendancy in the second degree.
- (b) “Hiring Authority” shall mean any person or persons, *including all elected officials, with the formally recognized authority to make a hiring decision for a role under their respective immediate and direct supervision.*

Section 1.5 Hiring

Section 1.5 shall be amended as follows:

- (a). Upon review of the candidates applying for a job with the Tribe, the Hiring Authority shall not make any decision to hire a Close Relative, ~~and the person or persons serving as the Hiring Authority shall recuse from the decision, notwithstanding any law or policy to the contrary.~~
- (b). For all new hires after the ~~effective date reaffirmation~~ of this Act, the Hiring Authority shall not ~~include~~ consider any Close Relative ~~of any~~ as a candidate for employment *under their direct and immediate supervision.*
- (c). *Hiring Authorities vested with supervisory purview over multiple personnel within a single Tribe Department shall recuse themselves from hiring decisions for Department roles not under their immediate supervision if a Close Relative is a candidate for any of same roles.*

Section 1.6 Supervision and Management of an Existing Employee who is a Close Relative

Section 1.6 shall be amended as follows:

- (a) No Executive Branch official or employee of the Tribe shall directly manage or supervise a Close Relative. *Nor shall officials or employees of the Legislative or Judicial Branches directly manage or supervise a Close Relative.*
- (b) Upon the ~~effective date reaffirmation~~ of this Act, any employee who is serving as a manger or supervisor of a Close Relative shall notify the Chairman in writing, and the Chairman shall take steps to reorganize the line of authority between the manager or supervisor and the employee to eliminate any direct management or supervision of a Close Relative, notwithstanding any law or policy to the contrary.

Section 1.7 Other Prohibitions

Section 1.7 shall be added by amendment as follows:

- (c) No Hiring Authority shall make a decision to hire a candidate for employment under their direct and immediate supervision with whom they are engaged in sexual conduct and/or a romantic relationship.
- (d) Hiring Authorities vested with supervisory purview over multiple personnel within a single Tribe Department shall recuse themselves from hiring decisions for Department roles not under their immediate supervision if any person or persons with whom they are engaged in sexual and/or romantic conduct are candidates for any such roles.
- (e) No official or employee of the Executive, Legislative, or Judicial Branches shall directly manage or supervise a person or persons with whom they are engaged in sexual and/or romantic conduct.
- (f) Engagement in any sexual contact with a subordinate under their respective direct management or supervision by any official or employee of the Executive, Legislative, and/or Judicial Branches shall be prohibited by this statute.