



GILA RIVER INDIAN COMMUNITY

SACATON, AZ 85147

ORDINANCE GR-003-22

THE GILA RIVER INDIAN COMMUNITY COUNCIL HEREBY AMENDS THE GILA RIVER INDIAN COMMUNITY CODE, TITLE 5, CRIMINAL CODE BY AMENDING AND ENACTING REVISIONS TO CHAPTER 4, SENTENCING; CHAPTER 12, CONTROLLED SUBSTANCES; AND CHAPTER 15, CRIMINAL PROCEDURE

WHEREAS, the Gila River Indian Community Council (the "Community Council") is the governing body of the Gila River Indian Community (the "Community"), a federally recognized and sovereign Indian tribe; and

WHEREAS, the Community Council is authorized by Article XV, Section 1(a)(9) of the Constitution and Bylaws of the Community (March 17, 1960) (the "Constitution") to promote and protect the health, peace, morals, education, and general welfare of the Community and its members; and

WHEREAS, the Community Council is authorized by Article XV, Section 1(a)(17) of the Constitution to provide for the maintenance of law and order and the administration of justice by establishing a Community Court and police force and defining the powers and duties thereof; and

WHEREAS, the Community Council is authorized by Article XV, Section 1(a)(19) of the Constitution to pass ordinances necessary or incidental to the exercise of any of their powers authorized by Article XV, Section 1(a) of the Constitution; and

WHEREAS, the power to enact laws and ordinances is an inherent function of self-government which the Community has exercised over the years; and

WHEREAS, in 2010, voters in Arizona passed the Arizona Medical Marijuana Act, which set a presumption that a person is using marijuana for medicinal purposes and therefore not subject to arrest, prosecution or penalty if the person is in possession of a Registry Identification Card issued by the Arizona Department of Health Services; and

WHEREAS, in 2020, the voter in Arizona voters passed the Smart and Safe Arizona Act, which, among other things, legalized recreational marijuana for persons twenty-one years of age or older; and