

Cherokee Nation Code Annotated

Title 21: Crimes and Punishments

Part VII. Crimes Against Property

Chapter 56: Arson

§ 1401. Arson in the first degree

Cite as: 21 CNCA § 1401

A. Any person who willfully and maliciously sets fire to or burns or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or structure or contents thereof, inhabited or occupied by one or more persons, whether the property of that person or another, or who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat producing device or substance causes a person to be burned. or aids, counsels or procures the burning of a person shall, upon conviction, be guilty of arson in the first degree, which is a felony punishable by imprisonment for a term not to exceed three (3) years or by imposition of a fine in an amount not to exceed Fifteen Thousand Dollars (\$15,000), or by both such fine and imprisonment.

B. Any person who, while manufacturing, attempting to manufacture or endeavoring to manufacture a controlled dangerous substance in violation of 21 CNCA § 2101, et seq., destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or contents thereof, inhabited or occupied by one or more persons whether the property of that person or another, or who while manufacturing or attempting to manufacture a controlled dangerous substance in violation of 21 CNCA § 2101, et seq. causes a person to be burned, or aids, counsels or procures the burning of a person shall, upon conviction, be guilty of arson in the first degree, which is a felony punishable by imprisonment for a term not to exceed three (3) years or by imposition of a fine in an amount not to exceed Fifteen Thousand Dollars (\$15,000), or by both such fine and imprisonment.

Historical Data

LA 10–90, eff. November 13, 1990. Amended LA 07-21, eff. February 22, 2021.