

CONSTITUTION
OF THE
COMANCHE NATION

(As ratified November 19, 1966,
amended May 29, 1976, June 10, 1978, April 14, 1979, April 25, 1981, September 29, 1984,
June 29, 1985, April 28, 1994, February 23, 2002, September 8, 2017, March 21, 2018,
November 7, 2019, July 9, 2022, and December 9, 2023)

ARTICLE V — TRIBAL COUNCIL / POWERS CLAUSE

(Pursuant to Amendment I, adopted May 29, 1976,
Amendment XI and Amendment XII, adopted April 14, 1979,
Amendments XVIII and XIX, adopted September 29, 1984,
And Amendments XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, adopted April
28, 1994, and
Amendment XLIII, adopted September 8, 2017, Amendment XLV adopted March 21, 2018,
Amendment XLVIII, adopted November 7, 2019, and Amendment LXXI, adopted December 9,
2023)

Section 1. Pursuant to ARTICLE IV, Section 1. The supreme governing body of this organization shall be the Comanche Tribal Council. The Tribal Council shall consist of all duly enrolled members of the Comanche Nation who are eighteen (18) years of age or older. The



Tribal Council will affirm and exercise its Supreme Powers Clause by the Annual Election following the Annual Meeting or Special Election following a Special Meeting or a Special Election and Recall Election under Article VIII.

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ARTICLE VIII – VACANCIES AND REMOVAL FROM OFFICE

(Pursuant to Amendment XV, adopted April 14, 1979, Amendment XLIV, adopted September 8, 2017, and Amendment A, adopted July 9, 2022)

Section 1. If a committeeman or officer or other official elected by the Tribal Council of the tribe shall die or resign, be removed or recalled from office, his office shall be deemed vacant there shall be a Special Election held pursuant to the Election Ordinance. Whomever wishes to run for office in a Special Election, shall nominate themselves as set forth in the Election Ordinance. The Special Election shall be complete within sixty (60) days of the vacancy.

Section 2. Subject to the requirements of this section, a committeeman, officer, or other official elected by the Tribal Council may be removed from office via a Recall Election.

- (a) A Recall Election shall be initiated by a Recall Petition. The number of signatures required shall be either (i) five (5) or more members of the Comanche Business Committee (which may include the Chairman), or (ii) two hundred and fifty (250) or more members of the Tribal Council. Once the signatures on a Recall Petition are verified by the Enrollment Office, the accused committeeman, officer, or other official shall be suspended from office until the conclusion of the Recall Election or dismissal of the Bill of Particulars.
- (b) A Recall Petition must include a Bill of Particulars alleging, in writing, misconduct or neglect of duty as defined in the Election Ordinance.
- (c) Within the time limits set forth in the Election Ordinance, the Tribal Court (or other independent tribunal designated by the Tribal Council) shall convene a hearing on the Bill of Particulars, the accused person shall be given an opportunity to respond to the Bill of Particulars, and the Tribal Court or tribunal shall determine whether misconduct or neglect of duty has been proven by clear and convincing evidence. If misconduct or neglect of duty is proven by clear and convincing evidence, a Recall Election shall be held. If misconduct or neglect of duty is not proven by clear and convincing evidence, the Bill of Particulars shall be dismissed.
- (d) Prior to the Recall Election, the Bill of Particulars shall be published as set forth in the Election Ordinance. The accused committeeman, officer, or official shall be given the opportunity to respond to the Bill of Particulars, and the response shall be published along with the Bill of Particulars.



- (e) No Recall Election is allowed 45 days prior to the Annual Meeting or 45 days following the Annual Election.
- (f) In a Recall Election, a supermajority of 60% or more of votes casts is required for a committeeman, officer, or official to be removed from office.
- (g) If an attempt to recall fails to remove a committeeman, officer, or official—either due to dismissal under subsection (c) or failure to obtain a supermajority under subsection (f)—then no other recall may be initiated based on the same conduct alleged in the Bill of Particulars.
- b) Notwithstanding the foregoing, at no time shall there be more than two (2) vacancies on the Comanche Business Committee. In the event that there are two vacancies, no Recall Election shall be permitted until the vacancies are filled pursuant to Section 1 of this Article.

Section 3. Any officer, committeeman, or other official elected by the Tribal Council who is convicted of any felony, a misdemeanor involving dishonesty, bribery, or embezzlement shall forfeit his office and such office shall immediately become vacant and be filled in accordance with Section 1 of this Article.