

## **TITLE 3 - CHILDREN**

### **CHAPTER 3 – EFFECT OF CHILDREN’S CODE**

*Legislative History: The “[Children’s Code of the Papago Tribe](#)” was enacted by the Papago Council on February 13, 1979 and approved by the Papago Agency Superintendent on February 13, 1979. Resolution No. 13-166 enacts and codifies the “Children’s Code of the Tohono O’odham Nation” as 3 Tohono O’odham Code Chapters 1-3 and repeals “Children’s Code of the Papago Tribe,” subject to the savings provisions of Section 3303 of the “Children’s Code of the Tohono O’odham Nation,” effective May 23, 2013.*

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**Section 3301 Sovereign Immunity**

Except as expressly and specifically waived by a resolution of the Tohono O'odham Legislative Council, the Tohono O'odham Nation shall be immune from suit arising from the administration and enforcement of this Children's Code as codified at 3 Tohono O'odham Code Chapters 1-3. Nothing in this Children's Code shall be construed as a waiver of the Nation's sovereign immunity.

**Section 3302 Repeal**

The Children's Code of the Papago Tribe, as enacted by the Papago Council on February 13, 1979, and approved by the Papago Agency Superintendent on February 13, 1979, and any amendments thereto are repealed, subject to the provisions of Section 3303.

**Section 3303 Savings Clause**

(A) Chapter 2 of this Code shall govern any offense committed on or after the effective date of this Chapter.

(B) Chapter 2 does not apply to or govern any offense committed before the effective date of this Chapter. An offense occurring prior to the enactment of this Chapter shall be prosecuted, construed, and a disposition plan issued in accordance to the provisions of law existing at the time of commission, regardless of the actual date of prosecution and disposition plan, and in the same manner as if Chapter 2 had not been enacted, and for that limited purpose only the Children's Code of the Papago Tribe, as amended, is preserved.