

39.10 **SECTION 10: NOMINAL TRIBAL OWNERSHIP INTERESTS IN
NONMEMBER OWNED RESERVATION LANDS.**

- 39.10.1 It shall be unlawful for a Red Cliff tribal member to cause an ownership document to be filed with an agency of record, including but not limited to the County Register of Deeds, that establishes a nominal interest in a nonmember-owned parcel within the Red Cliff reservation boundary solely for the purpose of enabling the nonmember to avoid state property taxes. It shall be a defense to this section that the member has contributed investment capital, equity or other value to the real estate that fairly reflects the tribal member percentage ownership interest.
- 39.10.2 Filings occurring prior to September 6, 2022 are not subject to the restriction contained in sec. 39.10.1. With respect to filings occurring after September 6, 2022, the burden of proof shall be on the Defendant to show that the purported ownership interest was obtained for value as to any ownership interest less than five percent (5%).
- 39.10.3 Violations of this section shall be subject to a fine or forfeiture not to exceed five thousand dollars, as well as other remedies as determined by the Court. Each day that a document is on file with an agency of record shall be considered a separate violation.