

I Mina'trentai Sais Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
326-36 (COR)	James C. Moylan	AN ACT TO <i>AMEND</i> SECTION 2(f) OF PUBLIC LAW 35-136, TO <i>AMEND</i> SECTIONS 4, 5, AND 6, OF PUBLIC LAW 36-53, TO <i>AMEND</i> SECTIONS 2, 3, 4, AND 5 OF "EXHIBIT A" RULES AND REGULATIONS OF PUBLIC LAW 35-136, TO <i>AMEND</i> SECTION 8 OF "EXHIBIT A" RULES AND REGULATIONS OF PUBLIC LAW 35-53, AND TO <i>ADD</i> A NEW SECTION 9 TO "EXHIBIT A" RULES AND REGULATIONS OF PUBLIC LAW 35-136, RELATIVE TO AMENDING THE REQUIREMENTS TO APPLY OR QUALIFY FOR THE <i>RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020</i> .	7/18/22 8:00 a.m.						

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2022 (SECOND) Regular Session**

**Bill No. 326-36 (COR)**

Introduced by:

James C. Moylan 

**AN ACT TO AMEND SECTION 2(f) OF PUBLIC LAW 35-136, TO AMEND SECTIONS 4, 5, AND 6, OF PUBLIC LAW 36-53, TO AMEND SECTIONS 2, 3, 4, AND 5 OF “EXHIBIT A” RULES AND REGULATIONS OF PUBLIC LAW 35-136, TO AMEND SECTION 8 OF “EXHIBIT A” RULES AND REGULATIONS OF PUBLIC LAW 35-53, AND TO ADD A NEW SECTION 9 TO “EXHIBIT A” RULES AND REGULATIONS OF PUBLIC LAW 35-136, RELATIVE TO AMENDING THE REQUIREMENTS TO APPLY OR QUALIFY FOR THE *RECOVERY INCOME SUPPORT AND EMPOWERMENT (RISE) ACT OF 2020*.**

**BE IT ENACTED BY THE PEOPLE OF GUAM:**

**Section 1.** Sections 2(f) of Public Law 35-136 is hereby *amended* to read as follows:

(f) The Recovery Income Support and Empowerment (Rise) Act of 2020 shall have no income limitations. ~~Limitations Based on Adjusted Gross Income. Individuals, to include individuals filing a joint return, whose adjusted gross income in the tax year 2020 exceeds the following maximum adjusted gross income shall not be eligible for the RISE Program:~~

~~(1) Forty Thousand Dollars (\$40,000) in the case of an individual return; and~~

1                   ~~(2) Eighty Thousand Dollars (\$80,000) in the case of a joint~~  
2                   ~~return.~~

3           **Section 2.** Section 4 of Public Law 36-53 is hereby *amended* to read as  
4 follows:

5           **Section 4. Delivery of Payments.** Notwithstanding any other provision of  
6 law, or rule or regulation, the Director *shall* certify and disburse payments pursuant  
7 to this Act. No payment *shall be* made or allowed under this Act after June 30,  
8 2023~~2~~.

9           **Section 3.** Section 5 of Public Law 36-53 is hereby *amended* to read as  
10 follows:

11           **Section 5. Funding.** Notwithstanding any other provision of law, or rule  
12 or regulation, *I Maga'hagan Guahan* is authorized to transfer up to the amount  
13 needed to pay all qualified applicants pursuant to the requirements set forth in this  
14 Act, plus any additional amount needed for administrative costs, to the Department  
15 of Revenue and Taxation, for the purposes of this Act, as *may* be available from  
16 the following:

17                   (a) Fiscal Year 2021 or 2022 General Fund Appropriations; and

18                   (b) Any federal appropriations that can be used for the purposes of  
19 this Act.

20           No local funds may be used for this Program as long as federal funds that  
21 can be used for the purposes of this Act are available to encumber, obligate, or  
22 expend. Any funds transferred pursuant to this Act *shall* only be used for the  
23 purposes of this Act. Payments under this Act *shall* be required only if payments  
24 can be funded under a federal coronavirus relief package, or such other federal  
25 funds as are appropriate and lawful.

26           **Section 4.** Section 6 of Public Law 36-53 is hereby *amended* to read as  
27 follows:

1       **Section 6. Reporting.** Sixty (60) days from the Implementation of the  
2 Program, the Department of Revenue and Taxation and the Department of  
3 Administration *shall* submit a report to the Speaker of *I Liheslaturan Guåhan*,  
4 which *shall* include the cumulative amount of payments made under the Recovery  
5 Income Support and Empowerment (RISE) Program, the total administrative costs  
6 to facilitate this Act. Following the initial report, the Department of Revenue and  
7 Taxation and the Department of Administration *shall* continue to provide reports to  
8 the Speaker of *I Liheslaturan Guåhan*, pursuant to this Section every thirty (30)  
9 days until June 30, 2023~~2~~.

10       **Section 5.** Section 2 of the “Exhibit A” Rules and Regulations of Public  
11 Law 35-136 is hereby *amended* to read as follows:

12       **Section 2. Adjusted Gross Income Threshold Amounts.** The Recovery  
13 Income Support and Empowerment (Rise) Act of 2020 *shall* have no income  
14 limitations. ~~Taxpayers whose Adjusted Gross Income reported on the Guam Form~~  
15 ~~1040 Individual Tax Return for tax year 2020 exceeds the following maximum~~  
16 ~~adjusted gross income shall not be eligible for this Program:~~

17                   ~~(a) Forty Thousand Dollars (\$40,000) in the case of an~~  
18                   ~~individual return; and~~

19                   ~~(b) Eighty Thousand Dollars (\$80,000) in the case of a joint~~  
20                   ~~return.~~

21       **Section 6.** Section 3 of the “Exhibit A” Rules and Regulations of Public  
22 Law 35-136 is hereby *amended* to read as follows:

23       **Section 3. Filing of a Tax Return.** Eligible Individuals who are required  
24 to file a Guam Form 1040 Individual Income Tax Return for tax years 2020 or  
25 2019 must have filed a tax return ~~and meet the AGI threshold requirements under~~  
26 ~~Section 2~~ to qualify for payment under the Program. Eligible individuals who did  
27 not file a Guam income tax return since they did not meet the income thresholds

1 and are not required to file a tax return for tax years 2020 or 2019 must file a  
2 Recovery Income Support and Empowerment (RISE) Program Payment for Non-  
3 Filers form.

4 **Section 7.** Section 4 of the “Exhibit A” Rules and Regulations of Public  
5 Law 35-136 is hereby *amended* to read as follows:

6 **Section 4. Filing a Claim for Payment.** There shall be no requirements to  
7 file for a claim for the Recovery Income Support and Empowerment (RISE)  
8 Program, as the only qualification to qualify shall be the requirements pursuant to  
9 Sections 1 and 3 of the “Exhibit A” Rules and Regulations of this program.  
10 ~~Eligible individuals must register at the website specified by the Department of~~  
11 ~~Revenue and Taxation to fill out and submit the application online, along with the~~  
12 ~~required documents pursuant to Section 5, or must file an application and submit~~  
13 ~~the required documents in such other form as prescribed by the Director. The~~  
14 ~~Department of Revenue and Taxation shall continue to accept applications for the~~  
15 ~~Rise Act, pursuant to Public Law 35-136, for up to six (6) months from the~~  
16 ~~implementation date of the program.~~

17 **Section 8.** Section 5 of the “Exhibit A” Rules and Regulations of Public  
18 Law 35-136 is hereby *amended* to read as follows:

19 **Section 5. Required Documents.** There shall be no requirements to apply  
20 for the Recovery Income Support and Empowerment (RISE) Program or to submit  
21 any documents, as the only qualification to qualify shall be the requirements  
22 pursuant to Sections 1 and 3 of the “Exhibit A” Rules and Regulations of this  
23 program. ~~The following documentation must be submitted to qualify for payment~~  
24 ~~under the Program. Additional documentation may be required, as deemed~~  
25 ~~necessary, upon verification of the documentation listed in the Section. These~~  
26 ~~documents shall be subject to review and verification. Applications will be~~

1 processed, on a first in, first out basis, only when they are completed, including all  
2 required documents.

3 (a) ~~Completed Form 8821, *Tax information Authorization*, to authorize the~~  
4 ~~Department of Revenue and Taxation to inspect and receive Guam Form 1040~~  
5 ~~Individual Income Tax Return and return information for tax years 2020 and 2019~~  
6 ~~submitted by individuals, for the purpose of administering the Program;~~

7 (b) ~~Copy of Form SSA-1099 or Form RRB-1099, *Social Security Benefit*~~  
8 ~~*Statement*, for calendar year 2020, if an individual is an SSB recipient who is not~~  
9 ~~required to file tax return for tax years 2020 or 2019;~~

10 (c) ~~Social security card number(s) for individuals; and~~

11 (d) ~~Application for RISE Program.~~

12 **Section 9.** Section 8 of the “Exhibit A” Rules and Regulations of Public  
13 Law 36-53 is hereby *amended* to read as follows:

14 **Section 8. Funding.** The maximum amount allowed to be paid under the  
15 Program, not including administrative costs, *shall* be based on the total of all  
16 qualified applicants ~~who apply within the timelines~~ pursuant to this Act.

17 **Section 10.** A new Section 9 is hereby *added* to the “Exhibit A” Rules and  
18 Regulations of Public Law 35-136 to read as follows:

19 “Notwithstanding any other provisions of the law, rule, or regulation to the  
20 contrary, any qualified Guam resident pursuant to Sections 1 and 3 of the “Exhibit  
21 A” Rules and Regulations of this program, who has received any other claim  
22 through any relief program established by *I Maga’hagan Guahan* through an  
23 Executive Order, where a signed release was required preventing them from  
24 obtaining any other relief program via either an Executive Order or enacted statute,  
25 *shall* qualify to receive the proceeds pursuant to the Recovery Income Support and  
26 Empowerment (RISE) Program. Any release signed previously by the recipient  
27 *shall* be deemed void pursuant to qualifying for this program.”

1           **Section 11. Severability.** If any provision of this Act or its application to  
2 any person or circumstance is found to be invalid or contrary to law, such  
3 invalidity *shall not* affect other provisions or applications of this Act that can be  
4 given effect without the invalid provision or application, and to this end the  
5 provisions of this Act are severable.

6           **Section 12. Effective Date.** The Act *shall* be effective upon enactment.