

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
146-36 (LS)	Frank Blas Jr.	AN ACT TO CREATE A NEW CHAPTER 25 OF TITLE 1 GUAM CODE ANNOTATED TO ESTABLISH A GUAM CRIMINAL LAW AND PROCEDURE REVIEW COMMISSION FOR THE PURPOSE OF UPDATING TITLE 8 AND TITLE 9 OF THE GUAM CODE ANNOTATED.	5/25/21 2:38 p.m.						

***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2021 (FIRST) Regular Session**

**Bill No. 146-36 (LS)**

Introduced by:

Frank F. Blas Jr. 

**AN ACT TO CREATE A NEW CHAPTER 25 OF TITLE 1  
GUAM CODE ANNOTATED TO ESTABLISH A GUAM  
CRIMINAL LAW AND PROCEDURE REVIEW  
COMMISSION FOR THE PURPOSE OF UPDATING  
TITLE 8 AND TITLE 9 OF THE GUAM CODE  
ANNOTATED.**

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

2 **Section 1. LEGISLATIVE FINDINGS AND INTENT:**

3 *I Liheslaturan Guahan* finds that the laws and procedures used to prosecute criminal  
4 behavior may, in some cases, be unnecessary, unclear, duplicative, overly broad, or  
5 otherwise insufficient to serve the purpose of the law. It is therefore the intent of this  
6 legislation to create a commission made up of key stakeholders and experts to review  
7 the laws that address the criminal procedures and criminal laws of Guam and to make  
8 recommendations of enactments, amendments, and repeals to *I Liheslaturan Guahan*  
9 for action.

10 **Section 2.** This Act shall be known as the Guam Criminal Law and Procedure  
11 Review Commission

12 **Section 3.** A new Chapter 25 is hereby *added* to Title 1, Guam Code Annotated to  
13 read as follows:

14 **CHAPTER 25**

15 **GUAM CRIMINAL LAW AND PROCEDURE REVIEW COMMISSION**

1  
2 § 25.01. Short title. Guam Criminal Law and Procedure Review Commission.

3 § 25.02. Creation and Function.

4 (A) There is hereby created the Guam Criminal Law and Procedure Review  
5 Commission to review the laws that address the criminal procedures and criminal  
6 laws of Guam and to make recommendations of enactments, amendments, and  
7 repeals to I Liheslaturan Guahan for action. The commission will review  
8 specifically the provisions in Title 8 (Criminal Procedures) and Title 9 (Crimes and  
9 Corrections) and may review other provisions in other Titles within the Guam Code  
10 Annotated that affect criminal procedure or the enforcement of criminal law.

11 (B) The commission shall:

12 (1) Evaluate all laws described by Subsection (A) of this Section; and

13 (2) Make recommendations to the legislature regarding the repeal or revision of  
14 laws that are identified as being unnecessary, unclear, duplicative, overly broad, or  
15 otherwise insufficient to serve the intended purpose of the law.

16 (C) The commission will be composed of nine members appointed within 30 days  
17 upon enactment as follows:

18 (1) Three members appointed by the Governor;

19 (2) Two members appointed by the Chief Justice of the Judiciary of Guam;

20 (3) Two members appointed by the Speaker of I Liheslaturan Guahan; and

21 (4) Two members appointed by the Attorney General of Guam;

22 (D) The officials making appointments to the commission under Subsection (C) of  
23 this Section shall ensure that the membership of the commission includes  
24 representatives of all areas of the criminal justice system, including prosecutors,  
25 defense attorneys, judges, legal scholars, and relevant business interests.

26 (E) The governor shall designate one member of the commission to serve as the  
27 presiding officer of the commission.

1 (F) A member of the commission is not entitled to compensation or reimbursement  
2 of expenses.

3 (G) The commission shall meet at the call of the presiding officer.

4 (H) The administrative function and support for the commission will be equally  
5 shared by the appointing authorities of the commission. The apportionment of the  
6 responsibilities will be decided by the members of the commission.

7 (I) Not later than one year after enactment, the commission shall report the  
8 commission's findings and recommendations to the Governor and the Speaker of I  
9 Liheslaturan Guahan. The commission shall include in its recommendations any  
10 specific statutes that the commission recommends revising or repealing.

11 **Section 4. Abolition of Commission.** The commission shall be abolished  
12 and this Act will expire one year after enactment or when the commission completes  
13 its work, whichever is sooner.

14 **Section 5. Effective Date.** This Act shall be effective immediately upon  
15 enactment.