



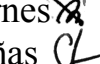








I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
312-36 (COR)	Mary Camacho Torres Tina Rose Muña Barnes Christopher M. Dueñas Jose "Pedro" Terlaje Telena Cruz Nelson James C. Moylan Y. Anthony Ada Frank Blas Jr. Joe S. San Agustin Amanda L. Shelton Sabina F. Perez	AN ACT TO AMEND § 40105 (a) OF CHAPTER 40, TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO EXPANDING NECESSARY PROTECTIONS FOR VICTIMS OF ABUSE TO MAINTAIN THE SAFETY AND BASIC NEEDS OF THE VICTIM OR THE MINOR CHILD OR CHILDREN IN COMMON WITH THE DEFENDANT.	6/7/22 4:24 p.m.						

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

Bill No. 312-36 (COR)

Introduced by:

Mary Camacho Torres 
Tina Rose Muña Barnes 
Christopher M. Dueñas 
Jose "Pedro" Terlaje 
Telen Cruz Nelson 
James C. Moylan 
V. Anthony Ada 
Frank Blas Jr. 
Joe S. San Agustin 
Amanda L. Shelton 
Sabina Flores Perez 

AN ACT TO *AMEND* § 40105 (a) OF CHAPTER 40, TITLE 7 OF THE GUAM CODE ANNOTATED, RELATIVE TO EXPANDING NECESSARY PROTECTIONS FOR VICTIMS OF ABUSE TO MAINTAIN THE SAFETY AND BASIC NEEDS OF THE VICTIM OR THE MINOR CHILD OR CHILDREN IN COMMON WITH THE DEFENDANT.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 40105 (a) of Chapter 40, Title 7, Guam Code Annotated, is hereby *amended* to read:

“(a) The court shall be empowered to grant protection by appropriate order or approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children, which are not limited to but may include:

1 (1) directing the defendant to refrain from abusing the plaintiff or minor
2 children;

3 (2) granting possession to the plaintiff of the residence or household to
4 the exclusion of the defendant by evicting the defendant or restoring
5 possession to the plaintiff when the residence or household is jointly owned
6 or leased by the parties;

7 (3) when the defendant has a duty to support the plaintiff or minor
8 children living in the residence or household and the defendant is the sole
9 owner or lessee, granting possession to the plaintiff of the residence or
10 household to the exclusion of the defendant by evicting the defendant to
11 restoring possession to the plaintiff or by consent agreement allowing the
12 defendant to provide suitable, alternative housing; ~~or~~

13 (4) when the plaintiff and defendant are spouses, or persons who have
14 a minor child or children in common and who live together, and if necessary
15 to maintain the safety and basic needs of the plaintiff or the minor child or
16 children in common of the plaintiff and defendant, prohibiting the defendant
17 from:

18 (A) taking any action that could result in the termination of any
19 necessary utility services or services related to the family dwelling or
20 the dwelling of the plaintiff; or

21 (B) taking any action that could result in the cancellation, change
22 of coverage, or change of beneficiary of any health, automobile, or
23 homeowners insurance policy to the detriment of the plaintiff or the
24 dependent child or children in common of the plaintiff and defendant;

25 (5) when the plaintiff and defendant are spouses, or persons who have
26 a dependent child or children in common and who live together, and if
27 necessary to maintain the safety and basic needs of the plaintiff or the minor

1 child or children in common of the plaintiff and defendant, providing the
2 plaintiff with temporary possession of an automobile, checkbook,
3 documentation of health, automobile, or homeowners insurance, a document
4 needed for purposes of proving identity, a key, or other necessary specified
5 personal effects; or directing the defendant to:

6 (A) make rent or mortgage payments on the family dwelling or
7 the dwelling of the plaintiff and the minor child or children in common
8 of the plaintiff and defendant;

9 (B) maintain utility services or other necessary services related
10 to the family dwelling or the dwelling of the plaintiff and the minor
11 child or children in common of the plaintiff and defendant;

12 (C) maintain all existing health, automobile, or homeowners
13 insurance coverage without change in coverage or beneficiary
14 designation; or

15 (D) provide financial support for the benefit of any minor child
16 or children in common of the plaintiff and the defendant, provided the
17 defendant has a legal duty to support such child or children and the
18 ability to pay;

19 ~~(4)~~(6) awarding temporary custody or establishing temporary visitation
20 rights with regard to minor children.”

21 **Section 2. Effective Date.** This Act shall take effect upon enactment.

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