

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
45-36 (COR) As amended by the Committee on Health, Land, Justice, and Culture; and further amended on the Floor	Jose "Pedo" Terlaje Tina Rose Muña Barnes Joe S. San Agustin V. Anthony Ada James C. Moylan	AN ACT TO <i>AMEND</i> §§ 25.15(c) AND §25.20(c) AND <i>ADD</i> A NEW § 25.25(c) ALL OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO MANDATORY MINIMUM SENTENCES FOR REPEAT SEXUAL OFFENDERS.	1/29/21 8:00 a.m.	2/1/21	Committee on Health, Land, Justice, and Culture	2/25/21 9:00 a.m.	3/12/21 10:04 a.m. As amended by the Committee on Health, Land, Justice and Culture	Request: 2/1/21 Waiver: 2/10/21	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	3/19/21	AN ACT TO <i>AMEND</i> §§ 25.15(c) AND 25.20(c) AND <i>ADD</i> A NEW § 25.25(c), ALL OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO MANDATORY MINIMUM SENTENCES FOR REPEAT SEXUAL OFFENDERS.	3/26/21	3/29/21	4/9/21	36-18	4/9/21	Received: 4/9/21 Mess and Comm. Doc. No. 36GL-21-0421	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

April 9, 2021

HONORABLE THERESE M. TERLAJE

Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan

36th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

Re: BILL NO. 45-36 (COR) - An Act to *Amend* §§ 25.15(c) and 25.20(c) and *Add* a New § 25.25(c), All of Chapter 25, Title 9, Guam Code Annotated, Relative to Mandatory Minimum Sentences for Repeat Sexual Offenders

Buenas yan Hafa Adai Madame Speaker:

As the arbiter of the criminal justice system, the Judiciary is in the best position to determine the adequacy and appropriateness of prison terms. Judges are specially and uniquely qualified to assess the facts of each case and render sentences appropriate to the charges. However, mandatory minimums are the community's manner of establishing a baseline for punishment. In this case, the Legislature believes that repeat criminal sexual conduct offenders should serve sentences reflective of both the severity of the crime and the lack of remorse indicated by a repeated offense. I agree with these principles. Bill No. 45-36 is now known as ***Public Law No. 36-18***.

Senseremente,

A handwritten signature in blue ink, appearing to read "Lourdes A. Leon Guerrero".

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

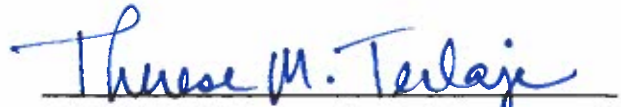
Governor of Guam

Enclosure(s): Bill No. 45-36 (COR) *nka* P.L. 36-18

cc: *Honorable* Joshua F. Tenorio, *Sigundo* Maga'låhen Guåhan
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*

This is to certify that **Bill No. 45-36 (COR), "AN ACT TO AMEND §§ 25.15(c) AND 25.20(c) AND ADD A NEW § 25.25(c), ALL OF CHAPTER 25, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO MANDATORY MINIMUM SENTENCES FOR REPEAT SEXUAL OFFENDERS,"** was on the 26th day of March 2021, duly and regularly passed.



Therese M. Terlaje
Speaker

Attested:



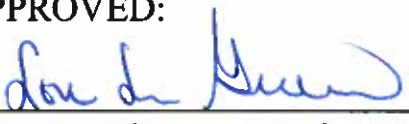
Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 29th day of March,
2021, at 5:14 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/9/2021

Public Law No. 36-18

2021-13301
RCVD AT CENTRAL FILES
MAR 29 '21 PM5:14
Elaine Tajalle

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

Bill No. 45-36 (COR)

As amended by the Committee on Health,
Land, Justice, and Culture; and further
amended on the Floor.

Introduced by:

Jose “Pedo” Terlaje
Tina Rose Muña Barnes
Joe S. San Agustin
V. Anthony Ada
James C. Moylan
Frank Blas Jr.
Joanne Brown
Christopher M. Dueñas
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Amanda L. Shelton
Telo T. Taitague
Therese M. Terlaje
Mary Camacho Torres

**AN ACT TO AMEND §§ 25.15(c) AND 25.20(c) AND ADD A
NEW § 25.25(c), ALL OF CHAPTER 25, TITLE 9, GUAM
CODE ANNOTATED, RELATIVE TO MANDATORY
MINIMUM SENTENCES FOR REPEAT SEXUAL
OFFENDERS.**

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

2 **Section 1.** § 25.15(c) of Chapter 25, Title 9, Guam Code Annotated, is
3 hereby *amended* to read:

4 “(c) Any person convicted of criminal sexual conduct under §
5 25.15(a) subsequent to a first conviction of criminal sexual conduct under

1 Guam law or a conviction of a sex offense from another jurisdiction that has
2 an element that would constitute sexual contact or sexual penetration, as
3 defined in § 25.10 of this Chapter shall be sentenced to a minimum of twenty-
4 five (25) years imprisonment and may be sentenced to life imprisonment
5 without the possibility of parole. Said term shall not be suspended as indicated
6 in § 80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release
7 or educational programs outside the confines of prison be granted.”

8 **Section 2.** § 25.20(c) of Chapter 25, Title 9, Guam Code Annotated, is
9 hereby *amended* to read:

10 “(c) Any person convicted of criminal sexual conduct under §
11 25.20(a) subsequent to a first conviction of criminal sexual conduct under
12 Guam law or a conviction of a sex offense from another jurisdiction that has
13 an element that would constitute sexual contact or sexual penetration as
14 defined in § 25.10 shall be sentenced to a minimum of fifteen (15) years
15 imprisonment and may be sentenced to life imprisonment without the
16 possibility of parole. Said term shall not be suspended; nor probation be
17 imposed in lieu of said term, as indicated in § 80.60 of Article 4, Chapter 80,
18 Title 9 GCA; nor shall parole, work release or educational programs outside
19 the confines of prison be granted.”

20 **Section 3.** A new § 25.25(c) is hereby *added* to Chapter 25 of Title 9, Guam
21 Code Annotated, to read:

22 “(c) Any person previously convicted of criminal sexual conduct
23 under § 25.25(a) subsequent to a first conviction of criminal sexual conduct
24 under Guam law or a conviction of a sex offense from another jurisdiction that
25 has an element that would constitute sexual contact or sexual penetration as
26 defined in § 25.10 of this Chapter shall be sentenced to ten (10) years
27 imprisonment without the possibility of parole. Said term shall not be

1 suspended; nor probation be imposed in lieu of said term, as indicated in §
2 80.60 of Article 4, Chapter 80, Title 9 GCA; nor shall parole, work release or
3 educational programs outside the confines of prison be granted.”

4 **Section 4. Effective Date.** This Act shall be effective upon enactment.

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

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LI. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

April 9, 2021

HONORABLE THERESE M. TERLAJE
Speaker

I Mina'trentai Sais Na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Doc Type: 36GL-21-0421
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

09 2021
Time: 4:11 pm
Received: JA

Re: BILL NO. 45-36 (COR) - An Act to Amend §§ 25.15(c) and 25.20(c) and Add a New § 25.25(c), All of Chapter 25, Title 9, Guam Code Annotated, Relative to Mandatory Minimum Sentences for Repeat Sexual Offenders

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Senseremente,

LOURDES A. LEON GUERRERO
Maga'hāgan Guåhan
Governor of Guam

COMMITTEE ON RULES

RECEIVED:

April 9, 2021

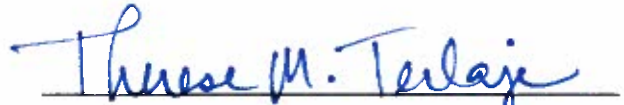
5:27 P.M.

Enclosure(s): Bill No. 45-36 (COR) *nka P.L. 36-18*

cc: *Honorable Joshua F. Tenorio, Sigundo Maga'lāhen Guåhan*
Compiler of Laws

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session
CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*


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Therese M. Terlaje
Speaker

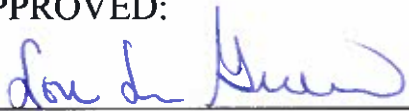
Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 29th day of March, 2021, at 5:14 o'clock P.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/9/2021

Public Law No. 36-18

2021-13301
RCUD AT CENTRAL FILES
MAR 29 '21 PM5:14

Elaine Tajalle

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

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As amended by the Committee on Health,
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9 severable.