

I Mina'trentai Siette Na Liheslaturan Guåhan  
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
241-37 (COR)	Thomas J. Fisher Joe S. San Agustin	AN ACT TO ADD A NEW SECTION § 6110A OF CHAPTER 6, TITLE 3 TO GUAM CODE ANNOTATED RELATIVE TO CANDIDATES FOR OFFICE FOR ELECTIONS.	2/6/24 2:33 p.m.						

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2024 (SECOND) Regular Session**

**Bill No. 241-37 (COR)**

Introduced by:

Thomas J. Fisher  
Joe S. San Agustin



**AN ACT TO ADD A NEW SECTION § 6110A OF  
CHAPTER 6, TITLE 3 TO GUAM CODE  
ANNOTATED RELATIVE TO CANDIDATES FOR  
OFFICE FOR ELECTIONS**

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

**“Section 1. Legislative Findings and Intent.** A seminal part of the American experiment is the ever-growing expansion and recognition, with occasional setbacks, of personal and privacy rights of the people. A milestone in that expansion is the adoption of the Fourteenth Amendment to the Constitution of the United States. The Legislature is aware that the United States, in Congress, chose to provide a very limited extension of this Amendment to Guam. Through Guam’s Organic Act (48 USCA §1421 *et seq.*) the protection present in the Fourteenth Amendment is limited to the privileges and immunities, due process and equal protection clauses. *Id.* By this Bill, it is the intent of the Guam Legislature to secure for ourselves and our descendants the protections of the XIV Amendment in so far as is constitutionally possible.

Accordingly, and in order to perfect the security that is ours, the Legislature desires to prohibit from appearance on any ballot for any public

1 election, those who shall have engaged in insurrection or rebellion against the  
2 United States or any member of the Union or given aid or comfort to the  
3 enemies thereof.

4 **Section 2.** There is hereby added a new section § 6110A of Chapter 6,  
5 Title 3 Guam Code Annotated which shall provide,

6 “No person shall hold any office, civil or military, under the Territory  
7 of Guam nor appear on any Guam ballot for election to any office civil or  
8 military, under the Territory of Guam or the United States, who, having  
9 previously taken an oath, as a member of Congress, or as an officer of the  
10 United States including the Presidency of the United States, or as a member  
11 of any state or territorial legislature, or as an executive or judicial officer of  
12 any State or Territory, to support, protect and defend the Constitution of the  
13 United States, shall have engaged in insurrection or rebellion against the same,  
14 or given aid or comfort to the enemies thereof.”

15 **Section 3.** Severability. If any provision of this Act, or the application  
16 thereof to any person or circumstance, is held invalid, the invalidity does not  
17 affect other provisions or applications of the Act that can be given effect  
18 without the invalid provision or application, and to this end the provisions of  
19 this Act are severable.