


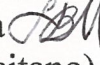


I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
215-35 (COR)	Telo T. Taitague Louise B. Muña Kelly Marsh (Taitano), PhD William M. Castro	AN ACT TO AMEND § 6301(b) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MAXIMUM LIMITS OF GOVERNMENTAL LIABILITY.	10/7/19 8:43 a.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 219-35(LDP)

Introduced by:

Telo T. Taitague 
Louise B. Muña 
Kelly Marsh (Taitano), PhD 
William M. Castro 

AN ACT TO AMEND § 6301(b) OF ARTICLE 3, CHAPTER 6, DIVISION 1, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MAXIMUM LIMITS OF GOVERNMENTAL LIABILITY.

2019 OCT -7 AM 8:43 

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Public Law 13-116, enacted on December 24, 1975, limited claims against the
4 government of Guam to \$35,000 in an action for wrongful death, and not more than
5 \$100,000 in any other tort action. The Government Claims Act was later repealed
6 and re-enacted by the Seventeenth Guam Legislature through Public Law 17-29
7 enacted on November 9, 1983. Public Law 17-29 increased the limits on claims
8 against the government of Guam by 65% or \$100,000 in an action for wrongful
9 death, and by 67% or \$300,000 in any other tort action. Included in Public Law 17-
10 29 is the comment: “... *The tort limitations are raised to take into account inflation,*
11 *increased court awards and the needs of the victims of the torts.*” *I Liheslatura* also
12 finds that the current limits of governmental liability haven’t been adjusted since
13 nearly 40 years ago and the limits fail to adequately recognize that the cost of health
14 insurance, legal defense and court fees, and other goods and services continues to

1 increase. Consistent with the actions of its predecessors, it is, therefore, the intent of
2 *I Liheslaturan Guåhan* to account for inflation and increase the current limits on
3 claims against the government of Guam to \$200,000 for wrongful death, and
4 \$500,000 in any other tort action.

5 **Section 2.** § 6301(b) of Article 3, Chapter 6, Division 1, Title 5, Guam Code
6 Annotated, is *amended* to read:

7 “(b) The government of Guam, in the case of line agencies, shall be liable in
8 tort for not more than ~~\$100,000~~\$200,000 in an action for wrongful death, nor for
9 more than ~~\$300,000~~\$500,000 in any other tort action.”

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