

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
275-35 (COR)	<u>Committee on Rules</u> By request of <i>I Moga'hågan Guåhan</i> , the Governor of Guam, in accordance with the Organic Act of Guam.	AN ACT TO AMEND SUBSECTION (a) OF §80.70, CHAPTER 80, TITLE 9 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING PAROLE FOR VIOLENT AND SEXUAL OFFENSES.	1/22/20 12:12 p.m.						

I MINA' TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 275-35(LR)

Introduced by:

Committee on Rules
By request of *I Maga'håga*
Guåhan, the Governor of
Guam, in accordance with the
Organic Act of Guam.

**AN ACT TO AMEND SUBSECTION (a) OF §80.70,
CHAPTER 80, TITLE 9 OF THE GUAM CODE
ANNOTATED, RELATIVE TO PROHIBITING PAROLE
FOR VIOLENT AND SEXUAL OFFENSES.**

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

2 **Section 1. When Parole Permitted.** Subsection (a) of §80.70, Chapter 80, Title 9 of the Guam
3 Code Annotated, is hereby amended, to read:

4 “(a) When Parole Permitted. An offender sentenced to a term of imprisonment may be
5 released conditionally on parole upon completion of two-thirds (2/3) of his fixed sentence or
6 thereafter in accordance with the provisions of this Article, provided that in the case of an
7 offender sentenced to a term of imprisonment for the commission of a violent crime, such
8 offender may not be released conditionally on parole ~~upon completion of eighty-five percent~~
9 ~~(85%) of his fixed sentence or thereafter in accordance with the provisions of this Article.~~

10 (1) Nothing in this Section shall be construed as limiting or mitigating in any
11 fashion the discretionary or mandatory imposition of a sentence of life imprisonment
12 without parole for any offense, as may be detailed elsewhere in this Title or the laws of
13 Guam.

14 (2) For the purposes of this Section, a violent crime is defined as one (1) or
15 more of the following:

16 (A) aggravated murder, as defined in 9 GCA § 16.30;

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(B) murder, as defined in 9 GCA § 16.40;

(C) manslaughter, as defined in 9 GCA § 16.50, and when such manslaughter is not involuntary;

(D) aggravated assault, as defined in 9 GCA § 19.20, and when it is a felony in the first degree;

(E) kidnapping, as defined in 9 GCA § 22.20, and when it is a felony in the first degree;

(F) first degree criminal sexual conduct, as defined in 9 GCA § 25.15;

(G) second degree criminal sexual conduct, as defined in 9 GCA § 25.20;

(H) third degree criminal sexual conduct when force or coercion is used to accomplish the sexual penetration, as defined in 9 GCA §25.25(a)(2);

(I) fourth degree criminal sexual conduct as a felony of the third degree when force or coercion is used to accomplish the sexual contact, as defined in 9 GCA §25.30(a)(1);

(J) aggravated arson, as defined in 9 GCA § 34.20;

~~(K)~~ first degree robbery, as defined in 9 GCA § 40.10; or

~~(L)~~ second degree robbery, as defined in 9 GCA § 40.20.”