

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

Bill No. 334-35 (COR)

As Substituted; and amended on the Floor.

Introduced by:

Tina Rose Muña Barnes
Jose "Pedo" Terlaje
Amanda L. Shelton
Kelly Marsh (Taitano), Ph.D.
Joe S. San Agustin

**AN ACT TO AMEND § 19404 OF ARTICLE 4, CHAPTER
19, TITLE 10 GUAM CODE ANNOTATED, RELATIVE TO
ENFORCEMENT OF RULES PROMULGATED IN AN
EXECUTIVE ORDER RELATIVE TO A DECLARED
EMERGENCY TO PUBLIC HEALTH OR SAFETY.**

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. §19404 of Article 4, Chapter 19, Title 10 Guam Code Annotated is
3 amended to read:

4 **“§ 19404. Enforcement.**

5 (a) During a state of public health emergency, the public health authority may
6 request assistance in enforcing orders pursuant to this Chapter from the public safety
7 authority. The public safety authority may request assistance from the organized
8 militia in enforcing the orders of the public health authority.

9 (b) The governor, in each executive order, shall designate the relevant agency,
10 department, or entity responsible for the enforcement of the provisions of the
11 executive order.

12 (c) Except in cases where a different punishment is provided by this
13 Chapter or other law, any person who violates any provision of an executive order

1 or order, rule, or regulation promulgated pursuant to this Chapter, in the first
2 instance, is guilty of a violation punishable by a fine not to exceed One Hundred
3 Dollars (\$100.00). A second violation shall be punishable by a fine not to exceed
4 Two Hundred Fifty Dollars (\$250.00), and five hundred (\$500) for every subsequent
5 violation. ~~Any person violating any provision of an executive order or order, rule, or~~
6 ~~regulation in the third or more instance shall be guilty of a misdemeanor and, upon~~
7 ~~conviction, shall be punishable by a fine not to exceed One thousand dollars~~
8 ~~(\$1,000.00) or by imprisonment for not to exceed One (1) year or by both such fine~~
9 ~~and imprisonment.~~

10 **Section 2. Applicability.** This Act shall apply only to executive orders,
11 orders, rules, or regulations relative to the Coronavirus Disease (COVID-19) public
12 health emergency, as of April 13, 2020. Such enforcement authority granted by this
13 Act shall be null and void on the termination of the COVID-19 public health
14 emergency as provided under 10 GCA § 19405.”