



FILE COPY

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
THIRTY THIRD GUAM LEGISLATURE  
155 Hesler Place, Hagåtña, Guam 96910

February 22, 2016

The Honorable Edward J.B. Calvo  
*I Maga'låhen Guåhan*  
*Ufisinan I Maga'låhi*  
*Hagåtña, Guam*

OFFICE OF THE GOVERNOR  
CENTRAL FILES  
RECEIVED BY *Kal Sola*  
TIME *2:59* DATE *2/22/16*

Dear *Maga'låhi* Calvo:

Transmitted herewith are Bill Nos. 213-33 (COR), 223-33 (COR), 235-33 (LS), 238-33 (LS), 241-33 (COR), 242-33 (COR), 244-33 (COR) and 247-33 (COR); and Substitute Bill Nos. 89-33 (LS), 149-33 (COR), 191-33 (LS), 218-33 (COR), 228-33 (COR), 229-33 (COR), 231-33 (LS), 236-33 (LS), 245-33 (COR) and 248-33 (COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on February 18, 2016.

Sincerely,

  
TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (18)

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*  
2016 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that Substitute Bill No. 149-33 (COR), "AN ACT TO REPEAL AND REENACT § 90113 OF CHAPTER 90, TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO PARENTAL LIABILITY FOR WILLFUL ACTS OF MINOR CHILDREN," was on the 18<sup>th</sup> day of February 2016, duly and regularly passed.



Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'låhen Guåhan* this 22<sup>ND</sup> day of FEBRUARY  
2016, at 2:59 o'clock P.M.



Assistant Staff Officer  
*Maga'låhi's* Office

APPROVED:

EDWARD J.B. CALVO  
*I Maga'låhen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN**  
**2015 (FIRST) Regular Session**

**Bill No. 149-33 (COR)**

As substituted by the sponsor;  
and amended on the Floor.

Introduced by:

V. Anthony Ada  
Frank F. Blas, Jr.  
T. C. Ada  
James V. Espaldon  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Mary Camacho Torres  
N. B. Underwood, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO REPEAL AND REENACT § 90113 OF  
CHAPTER 90, TITLE 18, GUAM CODE ANNOTATED,  
RELATIVE TO PARENTAL LIABILITY FOR WILLFUL  
ACTS OF MINOR CHILDREN.**

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

2           **Section 1.** § 90113 of Chapter 90, Title 18, Guam Code Annotated, is  
3 *repealed* and *reenacted* to read:

4           “§ 90113. **Parental Liability for Willful Acts of Minor Children.**

5           (a) Any act of willful misconduct of a minor that results in injury  
6 or death to another person or in any injury to the property of another *shall* be

1 imputed to the parent or guardian having custody and control of the minor  
2 for all purposes of civil damages, and the parent or guardian having custody  
3 and control *shall* be jointly and severally liable with the minor for any  
4 damages resulting from the willful misconduct.

5 Subject to the provisions of Subsection (c), the joint and several  
6 liability of the parent or guardian having custody and control of a minor  
7 under this Subsection *shall not* exceed Twenty-Five Thousand Dollars  
8 (\$25,000) for each tort of the minor, and in the case of injury to a person,  
9 imputed liability *shall* be further limited to medical, dental, and hospital  
10 expenses incurred by the injured person and attorney fees as allowed by  
11 Article 6 of Chapter 26 of 7 GCA, *not to exceed* Twenty-Five Thousand  
12 Dollars (\$25,000). The liability imposed by this Section is in addition to any  
13 liability now imposed by law.

14 (b) Any act of willful misconduct of a minor that results in the  
15 defacement of property of another with paint or a similar substance *shall* be  
16 imputed to the parent or guardian having custody and control of the minor  
17 for all purposes of civil damages, including court costs and attorney fees, as  
18 allowed by Article 6 of Chapter 26 of 7 GCA to the prevailing party, and the  
19 parent or guardian having custody and control *shall* be jointly and severally  
20 liable with the minor for any damages resulting from the willful misconduct,  
21 *not to exceed* Twenty-Five Thousand Dollars (\$25,000), *except* as provided  
22 in Subsection (c), for each tort of the minor.

23 (c) The maximum liability imposed by this Section is the  
24 maximum liability authorized under this Section at the time that the act of  
25 willful misconduct by a minor was committed.

26 (d) Nothing in this Section shall impose liability on an insurer for a  
27 loss caused by the willful act of the insured for purposes of § 18602 of

1 Chapter 18 of 22 GCA. An insurer *shall not* be liable for the conduct  
2 imputed to a parent or guardian by this Section for any amount in excess of  
3 Ten Thousand Dollars (\$10,000).

4 (e) Parent or guardian liability, *supra*, *shall not* include “foster  
5 parent” unless there is negligence by said foster parent.”