

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
1-35 (LS) As amended by the Committee on General Government Operations, Appropriations, and Housing, and further amended on the Floor	Régine Biscoe Lee James C. Moylan Tina Rose Muña-Barnes Joe S. San Agustin	AN ACT TO ADD A NEW § 26203.2 TO ARTICLE 2, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LIMITED EXEMPTIONS TO SMALL BUSINESSES UNDER "THE DAVE SANTOS SMALL BUSINESS ENHANCEMENT ACT."	1/7/19 11:17 a.m.	1/18/19	Committee on General Government Operations, Appropriations, and Housing	1/30/19 9:00 a.m. 4/9/19 9:00 a.m.	4/18/19 12:01 p.m. As amended by the Committee on General Government Operations, Appropriations, and Housing	Request: 1/22/19 Fiscal Note: 1/28/19 Fiscal Note: 3/19/19 As Amended Fiscal Note: 4/9/19 As Amended	3/18/19 12:15 p.m. As amended by the Committee on General Government Operations, Appropriations, and Housing 4/23/19 10:20 a.m. Supplemental Document to the Committee Report
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	4/22/19	AN ACT TO ADD A NEW § 26203.2 TO ARTICLE 2, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LIMITED EXEMPTIONS TO SMALL BUSINESSES UNDER "THE DAVE SANTOS SMALL BUSINESS ENHANCEMENT ACT."	4/25/19	4/26/19	5/8/19				

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

Martin B-Reyes
[Signature]

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 1-35 (LS)**, "AN ACT TO *ADD* A NEW § 26203.2 TO ARTICLE 2, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LIMITED EXEMPTIONS TO SMALL BUSINESSES UNDER "THE DAVE SANTOS SMALL BUSINESS ENHANCEMENT ACT," was on the 25th day of April 2019, duly and regularly passed.

[Signature]

Tina Rose Muña Barnes
Speaker

Attested:

[Signature]

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 26th day of April,
2019, at 4:18 o'clock P.M.

[Signature]

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: _____

Public Law No. _____

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

Bill No. 1-35 (LS)

As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended on the Floor.

Introduced by:

Régine Biscoe Lee
James C. Moylan
Tina Rose Muña Barnes
Joe S. San Agustin
William M. Castro
Kelly Marsh (Taitano), PhD
Louise B. Muña
Telena Cruz Nelson
Clynton E. Ridgell
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *ADD* A NEW § 26203.2 TO ARTICLE 2, CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, RELATIVE TO PROVIDING LIMITED EXEMPTIONS TO SMALL BUSINESSES UNDER "THE DAVE SANTOS SMALL BUSINESS ENHANCEMENT ACT."

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

2 **Section 1.** A new § 26203.2 is hereby *added* to Article 2, Chapter 26,
3 Division 2, Title 11, Guam Code Annotated, to read:

4 **"§ 26203.2. Limited Exemption for Certain Small Businesses.**

5 The taxes levied under this Article in excess of those generated from
6 three percent (3%) of the gross proceeds of business privilege tax referenced
7 in § 26202 *shall not* apply to the first One Hundred Thousand Dollars

1 (\$100,000) earned or received per taxable year by any person from real
2 property rentals, retailing, service income, commission income, licensed
3 insurance premium, and/or farming, whose gross annual income is in excess
4 of Fifty Thousand Dollars (\$50,000) but *not more than* Two Hundred Fifty
5 Thousand Dollars (\$250,000) during the most recent tax year; provided,
6 however, that such person(s) *shall* be fully subject to three percent (3%) of
7 the gross proceeds of business privilege tax referenced in § 26202, subject to
8 the existing requirements and exemptions referenced elsewhere in this Article.
9 The exemption set forth in this Section *shall* apply annually, commencing on
10 the first day of the month of the new tax year, based on the gross annual
11 income of a person during the most recent year, and *shall* end on the last day
12 of the last month of the same tax year.”

13 **Section 2. Reporting Requirements.** Beginning on January 1, 2021, the
14 Department of Revenue and Taxation *shall* provide an annual report to *I*
15 *Maga'hagån Guåhan* and *I Liheslaturan Guåhan*. Such report *shall* be transmitted
16 by January 1 of each year, and *shall* include the cumulative number of W-2 forms
17 filed and the business privilege taxes paid by all businesses using the exemption in
18 11 GCA § 26203.2, and the number of new business licenses for the year; and such
19 report *shall* further provide comparable data for the prior five (5) years.

20 **Section 3. Effective Date.** This Act *shall* be effective on January 1, 2020.

21 **Section 4. Severability.** If any provision of this Act or its application to any
22 person or circumstance is found to be invalid or contrary to law, such invalidity *shall*
23 *not* affect other provisions or applications of this Act that can be given effect without
24 the invalid provision or application, and to this end the provisions of this Act are
25 severable.