

I MINA'TRENTA NA LIHESLATURAN GUÅHAN
2009 (FIRST) Regular Session

Bill No. 30-174(COR)

Introduced by:

Adolpho B. Palacios, Sr.



2009 JUL 10 AM 10:33
7

AN ACT TO *AMEND* §26203(k)(9), (28), (29), (30), (31) AND (32), OF CHAPTER 26, TITLE 11 GUAM CODE ANNOTATED RELATIVE TO INCREASING THE EXEMPTIONS AMOUNT FROM FORTY THOUSAND (\$40,000) TO FIFTY THOUSAND (\$50,000) DOLLARS AND THE LIMITATIONS ON GROSS INCOME FROM FIFTY THOUSAND DOLLARS (\$50,000) TO TWO HUNDRED THOUSAND (\$200,000) DOLLARS.

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

2 **Section 1. Findings and Intent.** *I Liheslaturan Guåhan* finds that during the
3 term of the 29th Guam Legislature, Bill 379 (EC) was passed and was transmitted to the
4 Governor of Guam on December 31, 2008. December 31, 2008 was the final day of the
5 legislative term thus, the legislature adjourned "*sine die.*" In accordance with the Organic
6 Act of Guam, the Governor had thirty (30) days to act on any Bill received on the last day
7 of a legislative term. The Governor did not act on Bill 379 (EC); the term of the 29th
8 Guam Legislature term ended and consequently, Bill 379 (EC) was pocket-vetoed.

9 It is the intent of *I Liheslaturan Guåhan* to consider for re-passage what was Bill
10 379 (EC) of the 29th Guam Legislature, as this current Bill, by amending §26203(k)(9),
11 (28), (29), (30), (31) and (32), of Chapter 26, Title 11, Guam Code Annotated.

12 **Section 2. §26203(k)(9), Chapter 26, Title 11 Guam Code Annotated is**
13 **hereby amended to read:**

1 “(9) The first ~~Forty~~ Fifty Thousand Dollars (~~\$40,000~~) (\$50,000) earned or
2 received per taxable year by any person as rental income from real property whose gross
3 annual rental income from real property is less than ~~Fifty~~ Two Hundred Thousand
4 Dollars (~~\$50,000~~) (\$200,000) during the most recent tax year. The exemption shall apply
5 annually, commencing at the first day of the month of the new tax year, based on the
6 gross annual rental income of a person during the most recent year, and shall end on the
7 last day of the last month of the same tax year.”

8 **Section 3. §26203(k)(28), Chapter 26, Title 11 Guam Code Annotated is**
9 **hereby amended to read:**

10 “(28) The first ~~Forty~~ Fifty Thousand Dollars (~~\$40,000~~) (\$50,000) earned or
11 received per taxable year by any person as income from retailing whose gross annual
12 retail income is less than ~~Fifty~~ Two Hundred Thousand Dollars (~~\$50,000~~) (\$200,000)
13 during the most recent tax year. The exemption shall apply annually, commencing at the
14 first day of the month of the new tax year, subject to the gross annual retail income of a
15 person during the most recent year, and shall end on the last day of the last month of the
16 same tax year.

17 (i) Fifty percent (50%) of the amounts received from the retail sale of local
18 produce, as defined in this Subdivision.

19 (ii) *Local produce* as used in this Subdivision shall mean the following: locally
20 produced crops, including, but not limited to, plants and plant products
21 collectively grown or cared for and used for food and other useful purposes;
22 locally raised livestock, including but not limited to, cattle, carabao, swine, sheep,
23 goats, equine and poultry raised for food or other purposes; and locally caught

1 fish to include any aquatic animal life, including, but not limited to, oysters,
2 clams, mollusks, mussels, crustaceans and other shellfish”

3 **Section 4. §26203(k)(29), Chapter 26, Title 11 Guam Code Annotated is**
4 **hereby amended to read:**

5 “(29) The first ~~Forty~~ Fifty Thousand Dollars (~~\$40,000~~) (\$50,000) earned or
6 received per taxable year by any person as income service, which includes, but is not
7 limited to, legal; medical; dental; accounting; consulting and engineering fees;
8 commissions on real estate sales or property management; fees charged by barbershops,
9 beauty parlors, shoe shining parlors, dry cleaning and laundry establishments; and
10 automobile, appliance, electronics and computer repair shops, whose gross annual service
11 income is less than ~~Fifty~~ Two Hundred Thousand Dollars (~~\$50,000~~) (\$200,000) during
12 the most recent tax year. This exemption shall apply annually, commencing at the first
13 day of the month of the new tax year, subject to the gross annual service income of the
14 person during the most recent tax year, and shall end on the last day of the month of the
15 same tax year.”

16 **Section 5. §26203(k)(30), Chapter 26, Title 11 Guam Code Annotated is**
17 **hereby amended to read:**

18 “(30) The first ~~Forty~~ Fifty Thousand Dollars (~~\$40,000~~) (\$50,000) earned or
19 received per taxable year by person as rental income whose gross annual rental income is
20 less than ~~Fifty~~ Two Hundred Thousand Dollars (~~\$50,000~~) (\$200,000) during the most
21 recent tax year. This exemption shall apply annually, commencing at the first day of the
22 month of the new tax year, based on the gross annual rental income of a person during the
23 most recent year, and shall end on the last day of the last month of the same tax year.”

1 **Section 6. §26203(k)(31), Chapter 26, Title 11 Guam Code Annotated is**
2 **hereby amended to read:**

3 “(31) The first ~~Forty~~ Fifty Thousand Dollars (~~\$40,000~~) (\$50,000) earned or
4 received per taxable year by a person, partnership or corporation as commission income
5 whose gross annual commission income is less than ~~Fifty~~ Two Hundred Thousand
6 Dollars (~~\$50,000~~) (\$200,000) during the most recent tax year. This exemption shall apply
7 annually, commencing at the first day of the month of the new tax year, subject to the
8 gross annual income of the person during the most recent tax year, and shall end on the
9 last day of the month of the same tax year.”

10 **Section 7. §26203(k)(32), Chapter 26, Title 11 Guam Code Annotated is**
11 **hereby amended to read:**

12 “(32) The first ~~Forty~~ Fifty Thousand Dollars (~~\$40,000~~) (\$50,000) earned or
13 received per taxable year by a licensed insurance company as insurance premium income
14 whose gross annual insurance premium income is less than ~~Fifty~~ Two Hundred Thousand
15 Dollars (~~\$50,000~~) (\$200,000) during the most recent tax year. This exemption shall apply
16 annually, commencing at the first day of the month of the new tax year, subject to the
17 gross annual income of the person during the most recent tax year, and shall end on the
18 last day of the month of the same tax year.”