

*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
310-35 (LS)	Telena Cruz Nelson Amanda L. Shelton	AN ACT TO ADD A NEW CHAPTER 93 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO HOLDING PARENTS ACCOUNTABLE FOR THE HARMFUL ACTIONS OF THEIR CHILDREN SHALL BE CITED AS THE "PARENT ACCOUNTABILITY ACT OF 2020."	3/4/20 4:44 p.m.					4/2/20	

Senator Régine Biscoe Lee,  
Chair

Senator Amanda L. Shelton,  
Vice Chair

Speaker Tina Rose Muña Barnes,  
Member

Vice Speaker Telen Cruz Nelson,  
Member

Senator Kelly Marsh (Taitano), PhD,  
Member

Senator Sabina Flores Perez,  
Member



**COMMITTEE ON RULES**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

April 2, 2020

Senator Clynton E. Ridgell,  
Member

Senator Joe S. San Agustin,  
Member

Senator Jose "Pedo" Terlaje,  
Member

Senator Therese M. Terlaje,  
Member

Senator James C. Moylan,  
Member

Senator Mary Camacho Torres,  
Member and Chair, Subcommittee on Protocol

# MEMO

**To:** **Rennae Meno**  
Clerk of the Legislature

**From:** **Senator Régine Biscoe Lee**  
Chair, Committee on Rules

**Re:** **Fiscal Notes on Bill Nos. 306-35 (COR) and 310-35 (LS)**

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*Buenas yan Håfa adai.*

Attached, please find the fiscal notes for the following bills:

**Bill No. 306-35 (COR)**

**Bill No. 310-35 (LS)**

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.



**Bureau of Budget & Management Research**  
**Fiscal Note of Bill No. 310-35 (LS)**

**AN ACT TO ADD A NEW CHAPTER 93 TO TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO HOLDING PARENTS ACCOUNTABLE FOR THE HARMFUL ACTIONS OF THEIR CHILDREN AND SHALL BE CITED AS THE "PARENT ACCOUNTABILITY ACT OF 2020."**

**Department/Agency Appropriation Information**

<b>Dept./Agency Affected:</b> Office of the Attorney General	<b>Dept./Agency Head:</b> Leevin Camacho, Attorney General
<b>Department's General Fund (GF) appropriation(s) to date:</b>	\$15,015,134
<b>Department's Other Fund appropriation(s) to date:</b> N/A	\$0
<b>Total Department/Agency Appropriation(s) to date:</b>	\$15,015,134

**Fund Source Information of Proposed Appropriation**

	General Fund:	Special Fund:	Total:
FY 2019 Unreserved Fund Balance	\$0	\$0	\$0
FY 2020 Adopted Revenues	\$0	0	0
FY 2020 Appro. (P.L. 35-36)	\$0	0	0
<b>Sub-total:</b>	\$0	0	0
<b>Less appropriation in Bill</b>	\$0	0	0
<b>Total:</b>	\$0	0	0

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2020 (if applicable)	FY 2021	FY 2022	FY 2023	FY 2024
<b>General Fund</b>	1/	\$0	\$0	\$0	\$0	\$0
<b>Special Fund</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	1/	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? /X/ Yes      / / No  
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A      / / Yes      / / No  
If no, what is the additional amount required? \$ \_\_\_\_\_ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes      /X/ No  
If yes, will the program duplicate existing programs/agencies? /X/ N/A      / / Yes      / / No  
Is there a federal mandate to establish the program/agency? / / Yes      /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes      /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes      / / No  
/X/ Requested agency comments not received by due date: Office of the Attorney General      / / Other:

<b>Analyst:</b> <u>Raymond Reta</u> Raymond Reta, BMA II	<b>Date:</b> <u>4/11/2020</u>	<b>Director:</b> <u>Lester L. Carlson, Jr.</u> Lester L. Carlson, Jr., Director	<b>Date:</b> <u>APR 02 2020</u>
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**Notes:**  
1/: See additional Comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 310-35 (LS)**

Bill No. 310-35 (LS) seeks to hold parents accountable for the harmful actions of their children by adding a new Chapter 93 to Title 9, Guam Code Annotated (GCA) and shall be cited as the "Parent Accountability Act of 2020." The Bill imposes penalties and liabilities for the parent, parents, or guardians with legal custody of minors for damages to property, for the cost of repairing or replacing said damaged property, damages to a person, village, school district, religious or charitable organization, municipal corporation, or association, including shop lifting and personal injury attributed to a willful, or malicious act of the child.

The Bill proposes to authorize the victim or victim's parent or guardian of a willful, malicious act of a child to initiate civil action directly against the parent or parents of the child who committed the malicious act for the purpose of receiving compensation for the injuries suffered of at least \$1,000 per offense and up to \$5,000 in addition to all medical and/or therapy bill caused by such malicious act. For minors and or bystanders, along with his or her parents, that initiate and or incite the continuance of offenses, the Bill imposes a fine of \$1,000 per offense or be mandated to attend family counseling as deemed by public court services. The Bill further adds that any form of contact or retaliation by the aggressors or bystanders may be recognized as an additional offense and may be fined at least \$1,000 per attempt and the victim will be given the option to obtain a restraining order from such persons.

Although comments have not been received by the Bureau from the Office of the Attorney General (OAG) relative to the subject Bill, the Bureau cites previous OAG comments in regards to the introduction of Bill No. 277-35. In reference to Bill No. 277-35, the OAG had commented that the fiscal impact on its office is dependent on the extent to which the proposed creation of a new crime translates into increased caseloads and responsibilities (i.e. reviewing of complaints, charging of individuals, and prosecution). Per the OAG, this will mean additional personnel may be required to take on the additional caseloads. Similarly to Bill No. 277-35, due to the unknown variable regarding the number of caseloads that may arise, the Bureau is unable to determine the amount of personnel needed to handle such caseloads specific to the passage of Bill No. 310-35.

It should also be noted that the fines proposed in the Bill does not specify where such funds will be deposited. Furthermore, the Bureau is unable to quantify the anticipated revenues in the form of fines due to such punishments being dependent on the prosecution of the individuals.