

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session
LEGISLATIVE SESSION VOTING RECORD

Bill No. 1-35 (LS) As amended by the Committee on General Government Operations, Appropriations, and Housing; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building April 25, 2019					
NAME	Aye	Nay	Not Voting/ Abstained	Out During Roll Call	Absent	Excused
Senator William M. CASTRO	✓					
Senator Régine Biscoe LEE	✓					
Senator Kelly G. MARSH (TAITANO), PhD	✓					
Senator James C. MOYLAN	✓					
Speaker Tina Rose MUÑA BARNES	✓					
Senator Louise B. MUÑA	✓					
Vice Speaker Telen Cruz NELSON		✓				
Senator Sabina Flores PEREZ		✓				
Senator Clynton E. RIDGELL	✓					
Senator Joe S. SAN AGUSTIN	✓					
Senator Amanda L. SHELTON	✓					
Senator Telo T. TAITAGUE	✓	I				
Senator Jose "Pedo" TERLAJE	✓					
Senator Therese M. TERLAJE		II ✓				
Senator Mary Camacho TORRES	✓					

TOTAL: 12 3

Aye Nay Not Voting/
Abstained Out During
Roll Call Absent Excused

CERTIFIED TRUE AND CORRECT:

RENNAE V. C. MENO
Clerk of the Legislature

I = Pass

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Introduced by:

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.”

BE IT ENACTED BY THE PEOPLE OF GUAM:

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

“§ 26203.2. Limited Exemption for Certain Small Businesses.

The taxes levied under this Article in excess of those generated from three percent (3%) of the gross proceeds of business privilege tax referenced in § 26202 *shall not* apply to the first One Hundred Thousand Dollars (\$100,000) earned or received per taxable year by any person from real property rentals, retailing, service income, commission income, licensed insurance premium, and/or farming, whose gross annual income is in excess of Fifty Thousand Dollars (\$50,000) but *not more than* Two Hundred Fifty

1 Thousand Dollars (\$250,000) during the most recent tax year; provided,
2 however, that such person(s) *shall* be fully subject to three percent (3%) of
3 the gross proceeds of business privilege tax referenced in § 26202, subject to
4 the existing requirements and exemptions referenced elsewhere in this Article.
5 The exemption set forth in this Section *shall* apply annually, commencing on
6 the first day of the month of the new tax year, based on the gross annual
7 income of a person during the most recent year, and *shall* end on the last day
8 of the last month of the same tax year.”

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

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

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