

I Mina'trentai Sais 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
293-36 (COR)	Tina Rose Muña Barnes Frank Blas, Jr. Mary Camacho Torres Jose "Pedro" Terlaje Telena Cruz Nelson Amanda L. Shelton V. Anthony Ada Joe S. San Agustin	AN ACT TO ADD A NEW § 34102 (g), § 34106(j), AND § 34119.7 AND TO AMEND § 34128(a) OF CHAPTER 34 TO TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE PAYMENT OF CHILD SUPPORT FOR UNBORN CHILDREN BEGINNING AT A SPECIFIED GESTATIONAL AGE, TO REQUIRING THAT CHILD SUPPORT ORDERS INVOLVING UNBORN CHILDREN INCLUDE HEALTH INSURANCE COVERAGE FOR THE PREGNANT WOMAN FOR A SPECIFIED TIME, TO REQUIRING THAT BIOLOGICAL FATHERS SHARE THE COSTS OF PREGNANCY, TO FURTHER REQUIRING RETROACTIVE PAYMENTS IF PATERNITY IS DISPUTED AND LATER ESTABLISHED, AND TO CITE THIS ACT AS THE "PREGNANCY SUPPORT ACT OF 2022."	4/20/22 8:00 a.m.						


***I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN***  
**2022 (SECOND) Regular Session**

**Bill No. 293-36 (COR)**

Introduced by:

Tina Rose Muña Barnes 


Frank F. Blas Jr. 


Mary Camacho Torres 

Jose "Pedro" Terlaje 

Telena C. Nelson 

Amanda L. Shelton 

V. Anthony Ada 

Joe S. San Agustin 

**AN ACT TO *ADD* A NEW § 34102 (g), § 34106(j), AND § 34119.7 AND TO *AMEND* § 34128(a) OF CHAPTER 34 TO TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THE PAYMENT OF CHILD SUPPORT FOR UNBORN CHILDREN BEGINNING AT A SPECIFIED GESTATIONAL AGE, TO REQUIRING THAT CHILD SUPPORT ORDERS INVOLVING UNBORN CHILDREN INCLUDE HEALTH INSURANCE COVERAGE FOR THE PREGNANT WOMAN FOR A SPECIFIED TIME, TO REQUIRING THAT BIOLOGICAL FATHERS SHARE THE COSTS OF PREGNANCY, TO FURTHER REQUIRING RETROACTIVE PAYMENTS IF PATERNITY IS DISPUTED AND LATER ESTABLISHED, AND TO CITE THIS ACT AS THE "PREGNANCY SUPPORT ACT OF 2022."**

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

**Section 1.** This Act *shall* be known as the "*Pregnancy Support Act of 2022.*"

**Section 2.** A new § 34102 (g) is hereby *added* to Chapter 34 of Title 5,  
Guam Code Annotated to read as follows:

(g) "Pregnancy expenses" means an amount equal to:

1 (1) the sum of a pregnant mother's:

2 (a) health insurance premiums while pregnant that are not paid  
3 by an employer or government program; and

4 (b) medical costs related to the pregnancy, incurred after the date  
5 a heartbeat is detected and any related postpartum care needed  
6 immediately after the child is born.

7 **Section 3.** A new § 34105.3 is hereby *added* to Chapter 34 of Title 5, Guam  
8 Code Annotated to read:

9 **“§ 34105.3. Child Support Obligations Beginning at Gestational Age of**  
10 **Six Weeks.**

11 (a) Child support may be ordered under this Section for an unborn child  
12 beginning at the gestational age of six (6) weeks, provided that the mother has  
13 requested payment of such child support obligations. For child support orders  
14 involving unborn children, the order shall specify that the order is for the benefit of  
15 an unborn child and the mother and include the gestational age and intended full  
16 name, if any, of the unborn child.

17 (b) Payment for such obligations may be retroactively collected or awarded to  
18 the date when the gestational age of the unborn child was six (6) weeks, including  
19 in the case where paternity is established after the birth of the child.

20 (c) The payment amount for such obligations shall be determined by the  
21 court, in consultation with the mother, taking into account the best interests of the  
22 mother and child.”

23 **Section 4.** A new § 34106(j) is hereby *added* to Chapter 34 of Title 5, Guam  
24 Code Annotated to read as follows:

25 (j) If a person seeks payment under §34119.7 by providing documentation of  
26 payments, medical expenses, and insurance premiums, the court shall, after review,  
27 order the payment of the expenses.

1           **Section 5.** A new §34119.7 is hereby *added* to Chapter 34 of Title 5, Guam  
2 Code Annotated to read as follows:

3           **§34119.7. Duty of biological father to share pregnancy expenses.**

4           (1) Except as otherwise provided in this section, a biological father of a child  
5 has a duty to pay a portion of the mother's pregnancy expenses, provided that the  
6 mother has requested payment of such pregnancy expenses, as determined by the  
7 court.

8           (2) (a) If paternity is disputed, a biological father owes no duty under this  
9 section until the biological father's paternity is established.

10           (b) Once paternity is established, the biological father is subject to  
11 §34119.7(1).

12           (3) Nothing in this section or §34106(j) requires a person to separately bill a  
13 biological father for pregnancy expenses.

14           **Section 6.** § 34128(a) of Chapter 34, Title 5, Guam Code Annotated is hereby  
15 *amended* to read:

16           **“§ 34128. Health Care Insurance Mandatory.**

17           (a) Whenever the Superior Court of Guam issues or modifies an order  
18 concerning [child support], including provisions for child support in divorce decrees,  
19 the court shall include health care insurance coverage for the child or children as part  
20 of both parents obligation of support for health insurance if health care insurance is  
21 available at a reasonable cost. For child support orders involving unborn children,  
22 the provision for health insurance must include coverage for the pregnant woman  
23 for the duration of the pregnancy and any related postpartum care needed  
24 immediately after the child is born. The court shall determine the burden of  
25 obligation of support for health insurance from either or from both parents in the  
26 best interest of the child or children. Any order for health care insurance shall be  
27 enforceable against the custodial parent and/or the non-custodial parent.”

1           **Section 7. Severability.** If any provision of this Act or its application to any  
2 person or circumstance is found to be invalid or contrary to law, such invalidity shall  
3 not affect other provisions or applications of this Act that can be given effect without  
4 the invalid provision or application, and to this end the provisions of this Act are  
5 severable.