




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
72-36 (COR)	James C. Moylan V. Anthony Ada Christopher M. Dueñas	AN ACT TO AMEND § 26203.3 OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, AND SECTION 3 OF PUBLIC LAW 35-90, RELATIVE TO REMOVING THE SUNSET PROVISION OF THE LIMITED EXEMPTIONS OF BUSINESS PRIVILEGE TAXES FOR CERTAIN SMALL BUSINESSES	3/9/21 8:35 a.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2021 (FIRST) Regular Session

Bill No. 72-36 (COR)

Introduced by:

James C. Moylan 
V. Anthony Ada 
Christopher M. Duenas 

AN ACT TO *AMEND* § 26203.3 OF CHAPTER 26, TITLE 11, GUAM CODE ANNOTATED, AND SECTION 3 OF PUBLIC LAW 35-90, RELATIVE TO REMOVING THE SUNSET PROVISION OF THE LIMITED EXEMPTIONS OF BUSINESS PRIVILEGE TAXES FOR CERTAIN SMALL BUSINESSES.

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

2 **Section 1.** § 26203.3 of Chapter 26, Title 11, Guam Code Annotated, is
3 hereby *amended* to read as follows:

4 **§ 26203.3. ~~Temporary~~ Limited Exemption for Certain Small Businesses.**

5 Notwithstanding any provision of law, the taxes levied under this Article in
6 excess of those generated from three percent (3%) of the gross proceeds of
7 business privilege tax referenced in § 26202 shall not apply to the first Two
8 Hundred Fifty Thousand Dollars (\$250,000) earned or received per taxable year by
9 any person from real property rentals, rental others, profession, retailing, service
10 income, commission income, licensed insurance premium, and/or farming, whose
11 gross annual income is in excess of Fifty Thousand Dollars (\$50,000) but not more
12 than Five Hundred Thousand Dollars (\$500,000) during the most recent tax year;
13 provided, however, that such person(s) shall be fully subject to three percent (3%)

1 of the gross proceeds of business privilege tax referenced in § 26202, subject to the
2 existing requirements and exemptions referenced elsewhere in this Article. The
3 exemption set forth in this Section shall apply annually, commencing on the first
4 day of the month of the new tax year, based on the gross annual income of a person
5 during the most recent year, and shall end on the last day of the last month of the
6 same tax year.

7 **Section 2.** Section 3 of Public Law 35-90 is hereby *amended* to read as
8 follows:

9 This Act shall be effective upon enactment ~~and apply retroactively to~~
10 ~~January 1, 2020 and shall expire two (2) years from the date of enactment.~~

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

16 **Section 5. Effective Date.** The Act *shall* become effective upon enactment.