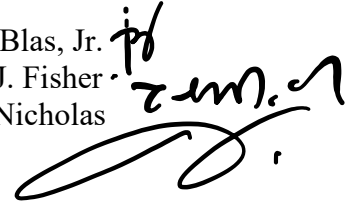


I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2023 (FIRST) Regular Session

Bill No. 153-37 (LS)

Introduced by:

Frank F. Blas, Jr.
Thomas J. Fisher
Dwayne T.D. San Nicholas



AN ACT TO ADD A NEW SUBSECTION 80.37(b) TO ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE POSSESSION OR USE OF AN EXPLOSIVE OR AN IMPROVISED EXPLOSIVE DEVICE IN THE COMMISSION OF A FELONY

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

2 **Section 1.** A new Subsection § 80.37(b) to Article 2, Chapter 80, Title 9,
3 Guam Code Annotated, is *added* to read:

4 **“§80.37. Deadly Weapons Used in Felonies; Sentence.**

5 (a) Whoever unlawfully possesses or uses a deadly weapon in
6 the commission of a felony punishable under the laws of Guam *shall*,

7 (1) in addition to the punishment imposed for the
8 commission of such felony, be imprisoned for a term of not less
9 than five (5) years nor more than twenty-five (25) years and
10 whoever unlawfully possesses or uses a firearm as that term is
11 defined in 10 Guam Code Ann. §60100(a) in the commission of
12 a felony punishable under the laws of Guam shall, in addition to
13 the punishment imposed for the commission of such felony, be
14 imprisoned for a term of not less than ten (10) years nor more
15 than twenty-five (25) years.

16 (b) Whoever possesses or uses an explosive device as defined
17 in 10 Guam Code Annotated, Chapter 61, §61100, or an improvised
18 explosive device (defined as those devices that are placed or fabricated
19 in an improvised manner incorporating destructive, lethal, noxious,

1 pyrotechnic, or incendiary chemicals and designed to destroy,
2 incapacitate, harass, or distract. They may incorporate military
3 weapons, but are normally devised from non-military components) in
4 the commission of a felony punishable under the laws of Guam shall,

5 (1) in addition to the punishment imposed for the
6 commission of such felony, be imprisoned for a term of not less
7 than ten (10) years nor more than twenty-five (25) years.

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

13 **Section 3. Effective Date.** The Act shall be effective upon enactment.”
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