


*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
233-37 (LS)	Roy A. B. Quiñata	AN ACT TO AMEND § 17116 AND REPEAL § 17118 CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING PRELIMINARY REPORTS TO QUARTERLY REPORTS AND ELIMINATING FINAL AND SUPPLEMENTARY REPORTS.	1/25/24 4:28 p.m.						

***I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN***  
**2024 (SECOND) REGULAR SESSION**

**Bill No. 233-37 (LS)**

Introduced by:

Roy A.B. Quinata 

**AN ACT TO *AMEND* § 17116 AND *REPEAL* § 17118 CHAPTER 17, TITLE 3, GUAM CODE ANNOTATED, RELATIVE TO CHANGING PRELIMINARY REPORTS TO QUARTERLY REPORTS AND ELIMINATING FINAL AND SUPPLEMENTARY REPORTS.**

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

**Section 1.** § 17116. Of Chapter 17, Title 3, Guam Code Annotated [Election Campaign Contributions & Expenditures], is hereby *amended* to read:

**§ 17116. ~~Preliminary Reports.~~ Quarterly Reports.**

~~Each candidate, or authorized person in the case of a political party, or campaign treasurer in the case of a committee, shall file a preliminary quarterly report with the Election Commission on forms provided by the Election Commission not later than the tenth (10th) day prior to each election or primary, as the case may be. The reports shall be certified pursuant to § 17103 of this Chapter and shall contain the following information, which is to be current through the fifteenth (15th) calendar day prior to the election or primary:~~

~~(a) the aggregate sum of all contributions received;~~

1 ~~(b) the amount and date of deposit of the contribution and the~~  
2 ~~name and address of each donor who contributes an aggregate~~  
3 ~~of more than One Hundred Dollars (\$100.00);~~

4 ~~(c) all expenditures made, incurred, or authorized by or for a~~  
5 ~~candidate, including the name and address of each payee and the~~  
6 ~~amount, date, and purpose of each expenditure; and~~

7 ~~(d) a current statement of the balance on hand or deficit.~~

8 (a) Each candidate, political party, or committee, shall file a  
9 quarterly report with the Election Commission on forms  
10 provided by the Election Commission not later than the fifteenth  
11 (15<sup>th</sup>) day after the last day of each calendar quarter, *id est* April  
12 15, July 15, October 15, and January 15; the first of which shall  
13 be due after the first complete quarter following the filing of the  
14 candidate or committee's Organizational Report. The reports  
15 shall be certified pursuant to § 17103 of this Chapter and shall  
16 contain the following information:

17 (1) the aggregate sum of all contributions received;

18 (2) the amount, date of receipt, and date of deposit (when  
19 applicable) of the contribution and the name and address  
20 of each donor who makes a contribution of more than  
21 One Hundred Dollars (\$100.00);

22 (3) all expenditures made, incurred, or authorized by or  
23 for a candidate, including the name and address of each  
24 payee and the amount, date, and purpose of each  
25 expenditure; and

1                   (4) a current statement of the balance on hand or deficit.

2                   (b) A candidate, party, or committee that receives no  
3                   contributions or makes no expenditures shall nevertheless file  
4                   quarterly reports as required by law, the last of which shall be  
5                   due not later than the fifteenth (15<sup>th</sup>) day after the last day of the  
6                   calendar quarter following the primary, general, or special  
7                   election.

8                   (c) Every candidate, party, or committee shall file quarterly  
9                   reports until one of the following conditions is met:

10                   (1) The depletion of campaign funds or the elimination of  
11                   any remaining deficit;

12                   (2) The establishment of a new organization designated  
13                   explicitly for a subsequent campaign, under the condition that the  
14                   new organization pertains to the same electoral office in the case  
15                   of a candidate or serves the same purpose or addresses the same  
16                   issue in the case of a committee; or

17                   (3) The transfer any remaining surplus or deficit to a new  
18                   organization expressly designated for a campaign related to a  
19                   distinct electoral office or issue, which is not the same office or  
20                   issue currently or previously held by a candidate, party, or  
21                   committee.

22                   **Section 2.** § 17118. Of Chapter 17, Title 3, Guam Code Annotated [Election  
23 Campaign Contributions & Expenditures], is hereby *repealed*.

24                   **§ 17118. ~~Final and Supplemental Reports.~~**

25                   ~~(a) Each candidate whether or not successful in a primary or~~  
26                   ~~special primary election, or authorized person in the case of a party, or~~

1 campaign treasurer in the case of a committee, shall file a final primary  
2 report not later than the tenth (10th) day after the primary or special  
3 primary election, certified pursuant to § 17103 of this Chapter. The  
4 report shall include:

5 (1) a statement of the total contributions received;

6 (2) the amount and date of deposit of the contribution, and  
7 the name and address of each donor who contributes more  
8 than One Hundred Dollars (\$100.00); and

9 (3) a statement of all expenditures made or incurred by or  
10 for a candidate, including the name of each payee and the  
11 amount, date, and purpose of each expenditure.

12 (b) Each candidate, or authorized person in the case of a  
13 committee, shall file a final general report with the Election  
14 Commission not later than the twentieth (20th) day after a general or  
15 special election, certified pursuant to § 17103 of this Chapter, and  
16 reporting all items prescribed in Subsection (a) of this Section. A  
17 candidate who is unsuccessful in a primary or special primary election  
18 need not file a final general report.

19 (c) Deficit. In the event of a deficit, the candidate or authorized  
20 person in the case of a committee shall, every three (3) months until the  
21 deficit is eliminated, file a supplemental report, the first of which shall  
22 be due not later than sixty (60) days following the election.

23 (d) Surplus. In the event of a surplus, the candidate or authorized  
24 person in the case of a committee shall: (1) maintain the cash surplus in  
25 a financial depository; and (2) every six (6) months, until he or she  
26 becomes a candidate again, file supplemental reports reporting all items

1           ~~prescribed in Subsection (a) of this Section. The first report shall be due~~  
2           ~~not later than sixty (60) days after the election.~~

3           ~~(e) A candidate, party, or committee that receives no~~  
4           ~~contributions or makes no expenditures shall nevertheless file~~  
5           ~~preliminary, final, and supplemental reports as required by law.~~

6           **Section 3. Effective Date.** This Act shall be effective immediately upon  
7           enactment.

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