

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
183-37 (COR)	Chris Barnett Jesse A. Lujan Christopher M. Dueñas Joanne Brown Telo T. Taitague Dwayne T.D. San Nicolas Joe S. San Agustin Sabina Flores Perez Amanda L. Shelton Roy A. B. Quinata Thomas J. Fisher William A. Parkinson	AN ACT TO AMEND §§ 25.15(b) AND 25.20(b) TO CHAPTER 25 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ENACTING HIGHER MINIMUM SENTENCING REQUIREMENTS FOR INDIVIDUALS CONVICTED OF FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS UNDER 12 YEARS OF AGE.	10/2/23 12:17 p.m.	10/6/23	Committee on Health, Land, Justice, and Culture	Request: 10/6/23 10/11/23			



COMMITTEE ON RULES

Senator Chris Barnett, Chairperson
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature

October 11, 2023

To: **Joaquin P. Taitague**
Substitute Clerk of the Legislature

From: **Senator Chris Barnett** 
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 183-37 (COR)**

Håfa Adai yan Biba Guåhan!

Find the attached, Fiscal Note for the following bill:

Bill No. 183-37 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly forward the same to Management Information Services (MIS) for posting on our website.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 183-37 (COR)**

AN ACT TO AMEND §§ 25.15(b) AND 25.20(b) TO CHAPTER 25 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ENACTING HIGHER MINIMUM SENTENCING REQUIREMENTS FOR INDIVIDUALS CONVICTED OF FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT INVOLVING VICTIMS UNDER 12 YEARS OF AGE.

Department/Agency Appropriation Information

Dept./Agency Affected: Office of the Attorney General		Dept./Agency Head: Douglas Moylan, Attorney General	
Department's General Fund (GF) appropriation(s) to date:		\$18,870,277	
Department's Other Fund appropriation(s) to date: CJIS Cost-Sharing Initiative (\$84,469):		\$84,469	
Total Department/Agency Appropriation(s) to date:		\$18,954,746	

Fund Source Information of Proposed Appropriation

	General Fund:	Other Fund	Total:
FY 2023 Unreserved Fund Balance	\$0	\$0	\$0
FY 2024 Adopted Revenues	\$0	0	0
FY 2024 Appro. (P.L. 37-42)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
Total:	\$0	0	0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2024 (if applicable)	FY 2025	FY 2026	FY 2027	FY 2028
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Other Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	1/	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? / / Yes /X/ No
If Yes, see attachment
- Is amount appropriated adequate to fund the intent of the appropriation? /X/ N/A / / Yes / / No
If no, what is the additional amount required? \$ _____ /X/ N/A
- Does the Bill establish a new program/agency? / / Yes /X/ No
If yes, will the program duplicate existing programs/agencies? /X/ N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes /X/ No
- Will the enactment of this Bill require new physical facilities? / / Yes /X/ No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: /X/ Yes / / No
/ / Requested agency comments not received by due date: OAG / / Other:

Analyst: Bernice Torres Date: 10/11/23 Director: Lester L. Carlson, Jr., Director Date: OCT 11 2023

Notes:
1/ See attached comments.

Bureau of Budget & Management Research
Comments on Bill No. 183-37 (COR)

Bill No. 183-37 (COR) is an act to an act to *amend* §§ 25.15(b) and 25.20(b) to Chapter 25 of Title 9, Guam Code Annotated, relative to enacting higher minimum sentencing requirements for individuals convicted of first and second degree criminal sexual conduct involving victims under 12 years of age.

The proposed legislation intends to establish minimum incarceration penalties of 25 years for those convicted of 1st Degree Criminal Sexual Conduct and 10 years for those convicted of 2nd Degree Criminal Sexual Conduct of a child under the age of 12. The Bill also intends to permit the courts to impose parole for offenders convicted of 1st and 2nd Degree Criminal Sexual Conduct for the rest of an offender's lifetime following release from prison.

According to comments received from the Office of Attorney General on Bill No. 183-37(COR), states that the bill does not ascertain any immediate fiscal impact. However, the Bureau notes that there will be a potential impact to the Department of Corrections relative to incarceration-specific costs, such as cost for meals, healthcare, clothing, rehabilitative services and other associated costs and services while imprisoned for a longer period of time.