

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

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
79-37 (COR)	Thomas J. Fisher	AN ACT TO AMEND §80.37(a)(1) OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO A SPECIAL ALLEGATION OF POSSESSION AND USE OF A DEADLY WEAPON IN THE COMMISSION OF A FELONY.	3/8/23 10:58 a.m.	3/9/23	Committee on Health, Land, Justice, and Culture			Request: 3/9/23  3/21/23	



## COMMITTEE ON RULES

Senator Chris Barnett, Chairperson  
*I Mina'trentai Siette Na Liheslaturan Guåhan*  
37<sup>th</sup> Guam Legislature

March 21, 2023

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

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

**Subject:** **Fiscal Note for Bill No. 79-37 (COR)**

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*Håfa Adai yan Biba Guåhan!*

Find the attached, Fiscal Note for the following bill:

**Bill No. 79-37 (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. 79-37 (COR)**

AN ACT TO AMEND §80.37(a)(1) OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO A SPECIAL ALLEGATION OF POSSESSION AND USE OF A DEADLY WEAPON IN THE COMMISSION OF A FELONY.

**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:	\$15,719,803
Department's Other Fund appropriation(s) to date: CJIS Cost-Sharing Initiative (\$81,603);	<u>\$81,603</u>
<b>Total Department/Agency Appropriation(s) to date:</b>	<b>\$15,801,406</b>

**Fund Source Information of Proposed Appropriation**

	General Fund:	Other Fund	Total:
FY 2022 Unreserved Fund Balance	\$0	\$0	\$0
FY 2023 Adopted Revenues	\$0	0	0
FY 2023 Appro. (P.L. 36-107)	\$0	0	0
Sub-total:	\$0	0	0
Less appropriation in Bill	\$0	0	0
<b>Total:</b>	<b>\$0</b>	<b>0</b>	<b>0</b>

**Estimated Fiscal Impact of Bill**

	One Full Fiscal Year	For Remainder of FY 2023 (if applicable)	FY 2024	FY 2025	FY 2026	FY 2027
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Other Fund	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>1/</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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|---|---------|---------|--------|
| 1. Does the bill contain "revenue generating" provisions?<br>If Yes, see attachment   |         | // Yes  | /X/ No |
| 2. Is amount appropriated adequate to fund the intent of the appropriation?<br>If no, what is the additional amount required? \$ _____  | /X/ N/A | // Yes  | // No  |
| 3. Does the Bill establish a new program/agency?<br>If yes, will the program duplicate existing programs/agencies?<br>Is there a federal mandate to establish the program/agency? | /X/ N/A | // Yes  | /X/ No |
| 4. Will the enactment of this Bill require new physical facilities?   |         | // Yes  | /X/ No |
| 5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason:<br>// Requested agency comments not received by due date: OAG      // Other:                |         | /X/ Yes | // No  |

Analyst: <u>Bernice Torres</u>	Date: <u>3/20/2023</u>	Director: <u>Lester L. Carlson, Jr.</u>	Date: <u>MAR 21 2023</u>
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Notes:  
1/ See attached comments.

**Bureau of Budget & Management Research**  
**Comments on Bill No. 79-37 (COR)**

Bill No. 79-37 (COR) is an act to *amend* §80.37(a)(1) of Article 2, Chapter 80, Title 9, Guam Code Annotated, relative to a special allegation of possession and use of a deadly weapon in the commission of a felony.

The proposed legislation would make the possession or use of a firearm in the commission of a felony punishable for a term of not less than ten (10) years nor more than twenty-five (25) years in prison, on top of any other punishments imposed.

The Office of Attorney General's response to Bill No. 79-37 states that the bill does not ascertain any immediate fiscal impact. However, the Bureau anticipates 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 for the proposed term of imprisonment.