

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
293-37 (COR) As amended by the Committee on Education, Public Safety, and the Arts; and further amended on the Floor	Telo T. Taitague Joanne M. Brown Chris Barnett Frank Blas, Jr. Joe S. San Agustin Christopher M. Dueñas Jesse A. Lujan Tina Rose Muña Barnes	AN ACT TO ADD A NEW § 58.61 TO CHAPTER 58 OF TITLE 9 OF THE GUAM CODE ANNOTATED RELATIVE TO THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES WITHIN DETENTION AND CORRECTIONAL FACILITIES.	5/1/24 10:56 a.m.	5/6/24	Committee on Education, Public Safety and the Arts	Request: 5/6/24 5/10/24	7/24/24 2:00 p.m.	9/9/24 10:42 a.m. As amended by the Committee on Education, Public Safety and the Arts	
		TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	9/23/24	AN ACT TO <i>ADD</i> A NEW § 58.70 TO CHAPTER 58 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES WITHIN DETENTION AND CORRECTIONAL FACILITIES.	10/7/24	10/8/24	10/19/24	37-129	10/18/24	Received: 10/18/24 Messages and Communications Doc. No. 37GL-24-2866	

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Email to: speaker@guamlegislature.org

October 18, 2024

THE HON. THERESE M. TERLAJE, *Speaker*
I Mina'trentai Siette Na Liheslaturan Guåhan
37th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

37GL-24-2866
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

OCT 18 2024
Time: 6:04 pm
Received: [Signature]

Re: Bill No. 293-37 (COR), "AN ACT TO ADD A NEW § 58.70 TO CHAPTER 58 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES WITHIN DETENTION AND CORRECTIONAL FACILITIES."

Håfa Adai Madam Speaker,

Bill No. 317-37 makes it a crime for an inmate or detainee to be under the influence of alcohol or a non-prescribed controlled substance within a Department of Corrections correctional facility. The crime could be punished by imposition of a fine and an added sentence of imprisonment.

While it is true that detainees and inmates are already subject to disciplinary action if found under the influence, this bill provides two further benefits. First, it creates potentially greater deterrent effect, as detainees or inmates would now be subject to prosecution and a potential 90 additional days or more behind bars. Second—as Director Fred Bordallo indicated during the hearing on this measure—the threat of prosecution under this new provision could be used in plea deals to secure useful information in the battle against contraband.

For this reason, I am signing Bill No. 293-37 into law as **Public Law No. 37-129**.

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam


RECEIVED
10/24/24 3:20pm
[Signature]

Enclosure(s): Bill No. 293-37 (COR) nka P.L. 37-129
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'HÅGAN GUÅHAN*


This is to certify that **Bill No. 293-37 (COR)**, “AN ACT TO *ADD A NEW § 58.70 TO CHAPTER 58 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES WITHIN DETENTION AND CORRECTIONAL FACILITIES,*” was on the 7th day of October 2024, duly and regularly passed.


Therese M. Terlaje
Speaker


Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 8th day of October 2024, at 9:00 o'clock A.M.


Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 10/18/2024

Public Law No. 37-129

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

2024-22391
OFFICE OF THE GOVERNOR
CENTRAL FILES OFFICE
Rec'd By: Jamichael C. Quinata
Date: 10-8-24 Time: 9:00

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2024 (SECOND) Regular Session

Bill No. 293-37 (COR)

As amended by the Committee on
Education, Public Safety, and the Arts;
and further amended on the Floor.

Introduced by:

Telo T. Taitague
Joanne M. Brown
Chris Barnett
Frank Blas, Jr.
Joe S. San Agustin
Christopher M. Dueñas
Jesse A. Lujan
Tina Rose Muña Barnes
Thomas J. Fisher
William A. Parkinson
Sabina Flores Perez
Roy A. B. Quinata
Dwayne T.D. San Nicolas
Amanda L. Shelton
Therese M. Terlaje

**AN ACT TO *ADD* A NEW § 58.70 TO CHAPTER 58 OF
TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO
THE USE OF ALCOHOL AND CONTROLLED
SUBSTANCES WITHIN DETENTION AND
CORRECTIONAL FACILITIES.**

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

2 **Section 1.** A new § 58.70 is *added* to Chapter 58, Title 9, Guam Code
3 Annotated, to read as follows:

4 “§ 58.70. **Use of Alcohol and Controlled Substances.**

1 (a) It is unlawful for a detainee or inmate within a detention or
2 correctional facility operated by the Department of Corrections to use or be
3 under the influence of alcohol or a controlled substance that has not been
4 lawfully prescribed by a licensed healthcare professional.

5 (b) A detainee or inmate who violates Subsection (a), supra, shall be
6 guilty of a misdemeanor, and upon conviction thereof shall be punished by a
7 sentence of imprisonment for a period of no less than ninety (90) days, or by
8 a fine of no less than Five Hundred Dollars (\$500.00), or by both. Any
9 sentence of imprisonment for a violation of this Section shall run
10 consecutively to the sentence for which an inmate is being incarcerated.”

11 **Section 2. Effective Date.** This Act shall be effective upon enactment.