

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2012 (SECOND) Regular Session

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Bill No. 503-31 (COR)

Introduced by:

Adolpho B. Palacios, Sr.

AN ACT TO ADD A NEW §34105.2 TO CHAPTER 34
OF TITLE 5, GUAM CODE ANNOTATED,
RELATIVE TO THE TERMINATION OF CHILD
SUPPORT.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 Section 1. Legislative Findings and Intent. *I Liheslaturan*
3 *Guåhan* finds that under current Guam law, the obligation to child
4 support ends when the child marries, becomes emancipated or
5 reaches the age of majority, which is eighteen (18) years old. Forty-
6 three (43) of the states allow for an extension of obligations for the
7 completion of high school, although often a timeline is imposed,
8 usually reaching nineteen (19) years of age.

9 *I Liheslaturan Guåhan* finds that in relatively advanced
10 economies, like the United States and Guam, the potential livelihoods
11 of workers are deeply affected by educational attainments, like
12 graduating from high school, earning a GED, completing a vocational
13 internship or attending a post-secondary institution.

1 *I Liheslaturan Guåhan* further finds that given the large impact
2 that education has upon young workers, the termination of child
3 support before the child has graduated or received an equivalent
4 attainment could have serious ramifications to the life of the child.
5 Thus it is clearly in the best interest of the custodial parent and child
6 receiving support that the child continue to receive support in the
7 event that the child is still attending high school or an equivalent
8 program for up to another year.

9 Therefore, it is the intent of *I Liheslaturan Guåhan* to require that
10 child support be provided until the latter of reaching the age of
11 majority or graduating from high school or equivalent, but not to
12 exceed nineteen (19) years of age, by adding a *new* §34105.2 to
13 Chapter 34 of Title 5 of the Guam Code Annotated.

14 **Section 2. Termination of Child Support.** A *new* §34105.2 is
15 hereby added to Chapter 34 of Title 5, Guam Code Annotated, to
16 read:

17 **“§34105.2. Termination of Child Support.**

18 (a) An order of current child support entered by a Court
19 or tribunal shall terminate by operation of law when the child
20 on whose behalf the support is owed marries, becomes
21 emancipated, or the latter of reaching the age of majority or
22 graduating from high school or equivalent, but not to exceed
23 nineteen (19) years of age.

1 (b) An order of current child support entered by a Court
2 or tribunal shall terminate if custody of all children who are the
3 subject of said order is transferred to the obligated parent
4 pursuant to an order of a court of competent jurisdiction or the
5 written voluntary agreement of the parents.

6 (c) Notwithstanding subsections (a) and (b) of this
7 Section, the obligation for payment of arrears or past due
8 support shall terminate by operation of law when all arrears or
9 past due support have been paid.”

10 **Section 3. Effective Date.** This Act shall take effect upon
11 enactment and apply prospectively.

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