

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2013 (First) Regular Session

Bill No. 247-32 (COR)

Introduced by:

FRANK B. AGUON, JR.



AN ACT RELATIVE TO EXPANDING THE GUAM  
SLAYER'S STATUTE THAT WOULD PROHIBIT  
INHERITANCE BY A PERSON WHO MURDERS  
SOMEONE FROM WHOM HE OR SHE STANDS TO  
INHERIT; THROUGH THE REPEAL AND  
REENACTMENT OF §819 OF CHAPTER 8, TITLE 15,  
GUAM CODE ANNOTATED.

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AGUON

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

2 **Section 1. Guam Slayer's Statute.**

3 §819 of Chapter 8, Title 15, Guam Code Annotated, relative to the slayer's  
4 statute is hereby repealed and reenacted to read as follows:

5 **"§819. Guam Slayer's Statute.**

6 **A. General Provisions.**

7 (1). No person convicted of the murder or voluntary manslaughter of the  
8 decedent shall be entitled to succeed to any portion of such decedent's estate; but  
9 the portion thereof to which such convicted person would otherwise be entitled to  
10 succeed goes to the other persons entitled thereto under the applicable provisions  
11 of Chapters 9, 10 and 11 of this Title.

12 (2). A surviving person who unlawfully and intentionally kills or  
13 participates in procuring the death of the decedent is not entitled to any benefits  
14 under the will or under Guam law, and the estate of the decedent passes as if the  
15 killer had predeceased the decedent. Property appointed by the will of the decedent

1 to or for the benefit of the killer passes as if the killer had predeceased the  
2 decedent.

3 (3). Any joint tenant who unlawfully and intentionally kills another joint  
4 tenant thereby effects a severance of the interest of the decedent so that the share of  
5 the decedent passes as the decedent's property and the killer has no rights by  
6 survivorship. This provision applies to joint tenancies with right of survivorship  
7 and tenancies by the entirety in real and personal property; joint and multiple-party  
8 accounts in banks, savings and loan associations, credit unions, and other  
9 institutions; and any other form of co-ownership with survivorship incidents.

10 (4). A named beneficiary of a bond, life insurance policy, or other  
11 contractual arrangement who unlawfully and intentionally kills the principal  
12 obligee or the person upon whose life the policy is issued is not entitled to any  
13 benefit under the bond, policy, or other contractual arrangement; and it becomes  
14 payable as though the killer had predeceased the decedent.

15 (5). Any other acquisition of property or interest by the killer, including a  
16 life estate in homestead property, shall be treated in accordance with the principles  
17 of this section.

18 (6). A final judgment of conviction of murder in any degree is conclusive  
19 for purposes of this section. In the absence of a conviction of murder in any degree,  
20 the court may determine by the greater weight of the evidence whether the killing  
21 was unlawful and intentional for purposes of this section.

22 (7). This section does not affect the rights of any person who, before rights  
23 under this section have been adjudicated, purchases from the killer for value and  
24 without notice property which the killer would have acquired except for this  
25 section, but the killer is liable for the amount of the proceeds or the value of the  
26 property.

1 (8). Any insurance company, bank, or other obligor making payment  
2 according to the terms of its policy or obligation is not liable by reason of this  
3 section unless prior to payment it has received at its home office or principal  
4 address written notice of a claim under this section.

5 **B. Definition of estate and property.**

6 For purposes of section §819, as provided above, in addition to other  
7 definitions highlighted in Guam's laws or regulations, the terms "estate" or  
8 "property" shall be defined to include the following: Qualified Defined Benefit  
9 Plans, Qualified Defined Contribution Plans, Governmental Defined Benefit Plans,  
10 Governmental Defined Contribution Plans, Non-Qualified Deferred Compensation  
11 Plans, Individual Retirement Arrangements (IRA), 529 College Savings Plans,  
12 Health Savings Accounts, Flexible Spending Accounts."

13 **Section 2. Effective Date.**

14 The provisions contained herein shall be effective upon enactment of this  
15 Act.