

**I MINA'TRENTAI DOS NA LIHESLATURAN GUAHAN**  
**2014 (Second) Regular Session**

**Bill No. 260-32 (COR)**

Introduced by:

B. J.F. Cruz 

---

**AN ACT TO ADD A NEW SUBSECTION (f) TO § 13104 OF CHAPTER 13 OF TITLE 4 OF THE GUAM CODE ANNOTATED; RELATIVE TO REQUIRING A TAX CLEARANCE FROM THE DEPARTMENT OF REVENUE AND TAXATION WITHIN THE FINANCIAL DISCLOSURE OF ALL CANDIDATES FOR PUBLIC OFFICE AND ALL OFFICIALS APPOINTED BY I MAGA'LAHI WHOSE APPOINTMENT IS SUBJECT TO THE CONSENT OF I LIHESLATURAN GUAHAN.**

2014 JAN 13 PM 2:09 

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

**Section 1.** A new subsection (f) is hereby *added* to §13104 of Chapter 13 of Title 4 of the Guam Code Annotated to read:

**“§ 13104. Contents of Report.**

(a) The financial report of the official *or* candidate as required in this Chapter *shall* include a complete account of the official's *or* candidate's gross income and that of his or her spouse and dependent children. For the purpose of this Chapter, gross income *shall* be defined as set forth in Section 61 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 61). The report of income *shall* specifically indicate, though not to the exclusion of other items listed in Section 61, the following information:

- (1) The names and addresses of all persons and organizations from whom was received by the official *or* candidate *or* on his or her behalf

1 with his or her knowledge and consent, any honorarium *or*  
2 compensation for services, including fees, commissions, salaries, and  
3 similar items, and the amount of such honorarium *or* compensation  
4 for services, if not money, the substance of the honorarium *or*  
5 compensation and the appraised value thereof;

6 (2) Gross income derived from business enterprises including the  
7 amount thereof, the nature of his or her interest in the business, and  
8 the names and addresses of such business;

9 (3) An itemization of all gains derived from dealings in real property,  
10 including the names and addresses of seller and purchaser and a brief  
11 description of the transaction that too place;

12 (4) The sources from which were derived income from interest and  
13 the amounts thereof;

14 (5) The sources from which rents were derived and the amount  
15 thereof;

16 (6) The sources from which royalties were derived and the amounts  
17 thereof;

18 (7) The sources from which dividends were derived and the amounts  
19 thereof;

20 (8) The names and addresses of all persons and organizations from  
21 whom he received assistance in the discharge of indebtedness and the  
22 aggregate amount of appraised value thereof;

23 (9) Itemization of income *or* benefits derived from distribution of the  
24 official's *or* candidate's share in any partnership or professional  
25 group, and the names and addresses of all persons and organizations  
26 from whose payments such distributions are made; provided,  
27 however, that no such names and addresses need be furnished when

1 the distribution to the official *or* candidate from any such person *or*  
2 organization in said year is less than One Thousand Dollars  
3 (\$1,000.00), *or* when said disclosure is derogation of a privilege  
4 granted by law; and

5 (10) Itemization of income derived from an estate *or* trust in which the  
6 official *or* candidate has an interest and the nature of that interest.

7 (b) The report *shall* list all gifts to the official *or* candidate that in aggregate  
8 value exceed One Hundred Dollars (\$100.00) in the year from a particular  
9 source. Included in the report *shall* be the name and address of the donor, the  
10 amount *or* value of his or her gifts, and a description thereof. The report  
11 *shall* also contain the name and address of a donor to the official *or*  
12 candidate, his or her spouse and/or his or her dependent children when the  
13 amounts or values of such gifts given in the course of a calendar year from a  
14 particular source exceed Five Hundred Dollars (\$500.00), and *shall* describe  
15 each such gift and the value thereof.

16 (c) The report *shall* list assets held by the official *or* candidate, by his or her  
17 spouse *or* dependent children, *or* by any of them jointly. The list *shall*  
18 include the value of each asset and a brief description thereof, but household  
19 furnishings and personal effects need *not* be reported.

20 (d) The report *shall* include the names and addresses of each person and  
21 organization to whom the official *or* candidate, his or her spouse, *or*  
22 dependent children, *or* any of them jointly owe an aggregate amount in  
23 excess of Five Thousand Dollars (\$5,000.00), and include a statement of the  
24 total aggregate indebtedness of the official *or* candidate and such family  
25 members.

26 (e) The report *shall* include a statement of any funds established by the  
27 official *or* candidate *or* on his or her behalf, to assist him or her in defraying

1 expenses which may be incurred by reason of his or her being an official *or*  
2 candidate. The report *shall* set forth the names and addresses of all persons  
3 contributing to the funds, the amount of each contribution, and the amount  
4 of each expenditure from such funds, and the purpose of each such  
5 expenditure.

6 (f) The report shall include a tax clearance from the Department of Revenue  
7 and Taxation Collections Branch, on a form provided by the Commission.  
8 The tax clearance shall indicate whether or not the candidate owes a past due  
9 tax obligation to the Government of Guam. If such tax obligation is due, the  
10 clearance shall indicate if the tax obligation is being disputed.”

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