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***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***

THIRTY-THIRD GUAM LEGISLATURE

155 Hesler Place, Hagåtña, Guam 96910

May 4, 2015

The Honorable Edward J.B. Calvo  
*I Maga'lahaen Guåhan*  
*Ufisinan I Maga'lahi*  
*Hagåtña, Guam*

Dear *Maga'lahi* Calvo:

Transmitted herewith are Bill Nos. 32-33(COR), 56-33(COR), 58-33(LS), 59-33(COR), 60-33(COR) and 62-33(LS); and Substitute Bill Nos. 14-33(COR), 52-33(COR) and 66-33(COR), which were passed by *I Mina'Trentai Tres Na Liheslaturan Guåhan* on May 1, 2015.

Sincerely,

TINA ROSE MUÑA BARNES  
Legislative Secretary

Enclosure (9)

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**I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN**  
**2015 (FIRST) Regular Session**

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

This is to certify that **Bill No. 59-33 (COR)**, "AN ACT TO *AMEND* SUBSECTION (b), AND TO *ADD* NEW SUBSECTIONS (d), (e) AND (f) TO § 6111 OF CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO PERSONAL RELATIONS AND COMMUNITY PROPERTY," was on the 1<sup>st</sup> day of May 2015, duly and regularly passed.




Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 4th day of May, 2015, at 4:15 o'clock P.M.



Assistant Staff Officer  
*Maga'lahaen's* Office

APPROVED:

EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: \_\_\_\_\_

Public Law No. \_\_\_\_\_

***I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN***  
**2015 (FIRST) Regular Session**

**Bill No. 59-33 (COR)**

As amended on the Floor.

Introduced by:

Mary Camacho Torres

T. C. Ada

V. Anthony Ada

Frank F. Blas, Jr.

FRANK B. AGUON, JR.

B. J.F. Cruz

James V. Espaldon

Brant T. McCreadie

Tommy Morrison

T. R. Muña Barnes

R. J. Respicio

Michael F.Q. San Nicolas

Dennis G. Rodriguez, Jr.

N. B. Underwood, Ph.D.

Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* SUBSECTION (b), AND TO *ADD*  
NEW SUBSECTIONS (d), (e) AND (f) TO § 6111 OF  
CHAPTER 6, TITLE 19, GUAM CODE ANNOTATED,  
RELATIVE TO PERSONAL RELATIONS AND  
COMMUNITY PROPERTY.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the current Guam law guiding personal relations and community property is  
4 based on decades-old California case law, which has since been updated in  
5 California and other jurisdictions.

1 It is, therefore, the intent of *I Liheslaturan Guåhan* to update current Guam  
2 codes to reflect more reasonable laws pertaining to the subjects of personal  
3 relations and community property.

4 **Section 2.** Subsection (b) of § 6111 of Chapter 6, Title 19, Guam Code  
5 Annotated, is *amended* to read as follows:

6 “(b) The provisions of an agreement for support of either party *shall*  
7 be deemed to be separate and severable from the provisions of the agreement  
8 relating to property. An order for support of either party based on the  
9 agreement *shall* be law-imposed and *shall* be made under the power of the  
10 court to order spousal support.”

11 **Section 3.** New Subsections (d), (e) and (f) are hereby *added* to § 6111 of  
12 Chapter 6, Title 19, Guam Code Annotated, to read as follows:

13 “(d) (1) *Except* as provided in Subsections (2) and (3), the  
14 provisions of an agreement for the support of either party are subject to  
15 subsequent modification or termination by court order.

16 (2) An agreement may *not* be modified or terminated as to an  
17 amount that accrued before the date of the filing of the notice of  
18 motion or order to show cause to modify or terminate.

19 (3) An agreement for spousal support may *not* be modified  
20 or revoked to the extent that a written agreement, or, if there is no  
21 written agreement, an oral agreement entered into in open court  
22 between the parties, specifically provides that the spousal support is  
23 *not* subject to modification or termination.

24 (e) If an obligation under an agreement for settlement of property  
25 to a spouse or for support of a spouse is discharged in bankruptcy, the court  
26 may make all proper orders for the support of the spouse, as the court

1 determines are just, having regard for the circumstances of the parties and  
2 the amount of the obligations under the agreement that are discharged.

3 (f) § 6111(b), as amended, and § 6111(d) are effective *only* with  
4 respect to a property settlement agreement entered into after May 15, 2015  
5 and *do not* affect an agreement entered into before May 15, 2015, as to  
6 which the § 6111(b) in effect on May 14, 2015 shall apply.”

7 **Section 4. Severability.** If any provision of this Act or its application to  
8 any person or circumstance is found to be invalid or contrary to law, such  
9 invalidity *shall not* affect other provisions or applications of this Act which can be  
10 given effect without the invalid provisions or application, and to this end the  
11 provisions of this Act are severable.