I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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

This is to certify that **Bill No. 33-31 (COR), "AN ACT TO *ADD* A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO REPEALING THE STATUTE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF MAJORITY",** was on the 24th day of February, 2011, 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'lahen Guåhan* this 25th day of Feb, 2011, at 7:14 o'clock P.M.

James G. Santos
Assistant Staff Officer
Maga'lahi's Office
Police Sgt I ESS

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 33-31 (COR)
As amended on the Floor.

Introduced by:

B. J.F. Cruz
R. J. Respicio
T. R. Muña Barnes
T. C. Ada
V. Anthony Ada
F. F. Blas, Jr.
Chris M. Duenas
Judith P. Guthertz, DPA
Sam Mabini, Ph.D.
Adolpho B. Palacios, Sr.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* A NEW §10.16 TO CHAPTER 10 OF TITLE 8, GUAM CODE ANNOTATED, RELATIVE TO REPEALING THE STATUTE OF LIMITATION FOR THE PROSECUTION OF A SEX CRIME INVOLVING A VICTIM WHO IS UNDER THE AGE OF MAJORITY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that child sexual abuse survivors often are disabled from revealing abuse at the time they suffer it and for many years thereafter. Furthermore, the expiration of applicable statutes of limitation has the effect of barring both civil claims and criminal prosecution of the perpetrators.

I Liheslaturan Guåhan finds that several state legislatures in the country have already passed or are attempting to enact legislation to open a window for civil claims against such perpetrators. However, as long as the applicable statutes of limitation for criminal prosecution remain in place, there will be a perpetual need to introduce such window legislation in the future.

I Liheslaturan Guåhan intends to address this by abolishing the statute of limitations for the criminal prosecution of perpetrators for sex crimes against children altogether, thereby serving to protect children from sex crimes and the kind of suffering already being endured by victims who are denied justice and relief under the current legal system.

Section 2. A new §10.16 is hereby *added* to Chapter 10 of Title 8, Guam Code Annotated to read:

> **"§10.16. *No* Limitation on Sex Crimes Committed Against Victims Under the Age of Majority.** *If* the offense is a violation of Chapter 25 of Title 9, Guam Code Annotated, and the victim was under the age of majority or the victim's mental comprehension and capacity was below the age of adolescence at the time the offense was committed, a prosecution of the offense may be commenced at any time. This Section applies to any such offense *except* an offense the prosecution of which would have been *barred* by §10.15 of this Chapter on or before enactment of this Act."

Section 3. Effective Date. This Act *shall* be effective upon enactment into law.