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From: Speaker's Office <speaker@guamlegislature.org>
Sent: Friday, December 11, 2020 6:28 PM
To: Clerks Office
Cc: Rennae Meno
Subject: Messages and Communications
Attachments: GoG-Public Law No. 35-122.pdf; GoG-Veto Bill No. 133-35 (COR).pdf; GoG-Public Law No. 35-120.pdf; GoG-Public Law No. 35-121.pdf; GoG-Public Law No. 35-118 and Public Law No. 35-119.pdf; GoG-Veto Bill No. 207-35 (COR).pdf

12/11/20	5:25 PM	12/11/20	Substitute Bill No. 217-35 (COR), signed into law as Public Law No. 35-118; Substitute Bill No. 218-35 (COR), signed into law as Public Law 35-119.	Office of the Governor of Guam	35GL-20-2501
12/11/20	5:25 PM	12/11/20	Substitute Bill No. 253-35 (COR), signed into law as Public Law No. 35-120.	Office of the Governor of Guam	35GL-20-2502
12/11/20	5:25 PM	12/11/20	Substitute Bill No. 285-35 (COR), signed into law as Public Law No. 35-121.	Office of the Governor of Guam	35GL-20-2503
12/11/20	5:25 PM	12/11/20	Substitute Bill No. 206-35 (COR), signed into law as Public Law No. 35-122.	Office of the Governor of Guam	35GL-20-2504
12/11/20	5:25 PM	12/11/20	Bill No. 133-35 (COR), Vetoed.	Office of the Governor of Guam	35GL-20-2505
12/11/20	5:25 PM	12/11/20	Bill No. 207-35 (COR), Vetoed.	Office of the Governor of Guam	35GL-20-2506

Sinseru yan Minagåhet,

Office of the Speaker • Tina Rose Muña Barnes
Committee on Public Accountability, Human Resources & the Guam Buildup

35th Guam Legislature
I Mina'trentai Singko na Liheslaturan Guåhan

Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910
T: (671) 477-2520/1
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contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by replying to speaker@guamlegislature.org and delete the message immediately. Thank you very much.

Gumai pribilehu yan konfedensia este siha na mensåhi. Solo espesiåtmente para hågu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kumu ti un ma aturisa para manribisa, na'setbe, pat mandespåtcha. Yanggen lachi rinisibu-mu nu este na mensåhi , put fabot ago' guatu gi I numa'huyong gi as speaker@guamlegislature.org yan despues destrosa todu siha I kopian mensåhi. Si Yu'os ma'åse'.

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

December 11, 2020

35GL-20-2504
Speaker Tina Rose Muña Barnes

DEC 11 2020
Time 5:25 ()AM ()PM
Received By:

HONORABLE TINA ROSE MUÑA BARNES
Speaker
I Mina'trentai Singko Na Liheslaturan Guåhan
35th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: **<u>Substitute Bill No. 206-35 (COR)</u> –An Act to *Add* a New § 25A204 to Article 2 of Chapter 25A, Title 9, Guam Code Annotated, Relative to Establishing the Offense of Production of Child Pornography as a First Degree Felony**

Dear Madame Speaker:

The existing statutory scheme protecting Guam's children from sexual exploitation prohibits the possession or dissemination of child pornography. Substitute Bill 206-35, now known as ***Public Law No. 35-122***, further protects minors by criminalizing the production of child pornography, and identifying such crime as a first degree felony. The behavior proscribed by this law harms our children, and this measure furthers our efforts as a community to ensure that our youth is safe from the substantial and long-term physical, emotional and mental trauma caused by such sexual exploitation, particularly when such behavior is memorialized in film and images and distributed. It is my hope that this law serves as an important deterrent to such conduct, and appropriately punishes those who engage in it.

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

Enclosure: Substitute Bill No. 206-35 (COR) *nka P.L. 35-122*

cc via email: *Sigundo Maga'låhen Guåhan*
Compiler of Laws

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
P.O. BOX 2950 • HAGÅTÑA, GUAM 96932
671.475.8031 • (671) 128-8930/6

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

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

This is to certify that **Substitute Bill No. 206-35 (COR) "AN ACT TO *ADD* A NEW § 25A204 TO ARTICLE 2 OF CHAPTER 25A, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE OFFENSE OF PRODUCTION OF CHILD PORNOGRAPHY AS A FIRST DEGREE FELONY,"** was on the 1st day of December 2020, duly and regularly passed.

Tina Rose Muña Barnes
Speaker

Attested:

Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 1st day of December, 2020, at 4:31 o'clock P.M.

Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 12/11/2020

Public Law No. 35-122

Jessica Cruz
RCVD AT CENTRAL FILES
DEC 1 '20 PM4:31
2020-B260

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 206-35 (COR)
As amended by the Committee on Health,
Tourism, Historic Preservation, Land and Justice;
and substituted on the Floor.

Introduced by: Louise B. Muña
William M. Castro
Régine Biscoe Lee
Kelly Marsh (Taitano), PhD
James C. Moylan
Tina Rose Muña Barnes
Telena Cruz Nelson
Sabina Flores Perez
Clynton E. Ridgell
Joe S. San Agustin
Amanda L. Shelton
Telo T. Taitague
Jose "Pedo" Terlaje
Therese M. Terlaje
Mary Camacho Torres

AN ACT TO *ADD* A NEW § 25A204 TO ARTICLE 2 OF CHAPTER 25A, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE OFFENSE OF PRODUCTION OF CHILD PORNOGRAPHY AS A FIRST DEGREE FELONY.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new § 25A204 is *added* to Article 2 of Chapter 25A, Title 9, Guam Code Annotated, to read as follows:

"**§ 25A204. Production of Child Pornography.**

(a) A person commits the offense of production of child pornography if, knowing or having reason to know its character and content, the person produces, manufactures, reproduces, copies, photographs, films, videotapes, video captures, creates, directs, promotes, advertises, publishes, issues, or presents to show any visual depiction of child pornography as defined in § 25A201 of this Chapter, or any pornographic material where:

(1) the production of such visual depiction involves the use of a minor engaging in sexual conduct;

(2) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexual conduct;

(3) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexual conduct;

(4) there is visual material containing the lewd or lascivious display of a minor's intimate area underneath clothing or sexual conduct of a minor; or

(5) there is visual material containing the display of a minor's intimate area underneath clothing that is prohibited under 9 GCA § 70.35.

(b) The fact that a person engaged in the conduct specified by this Section is prima facie evidence that the defendant had knowledge of the character and content of the material. The fact that the person who was employed, used, or otherwise contained in the pornographic material was, at that time, a minor is prima facie evidence that the defendant knew the person to be a minor.

(c) Production of child pornography is a First Degree Felony."