

*I Mina'trentai Siette Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
<b>243-37 (COR)</b> As amended by the Committee on Health, Land, Justice, and Culture; and further amended on the Floor	Dwayne T.D. San Nicolas William A. Parkinson Amanda L. Shelton Joe S. San Agustin Roy A. B. Quinata Tina Rose Muña Barnes Jesse A. Lujan Chris Barnett Frank Blas, Jr. Joanne M. Brown Christopher M. Dueñas Thomas J. Fisher Sabina Flores Perez Telo T. Taitague Therese M. Terlaje	AN ACT TO <i>ADD</i> A NEW § 11318 TO ARTICLE 3 OF CHAPTER 11, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE STATUTE OF LIMITATIONS FOR FINANCIAL AND PROPERTY EXPLOITATION OF AN ELDERLY PERSON OR INDIVIDUAL WITH DISABILITY.	2/13/24 1:38 p.m.	2/15/24	Committee on Health, Land, Justice, and Culture	Request: 2/15/24 Waiver: 2/20/24	4/1/24 8:30 a.m.	5/29/24 10:44 a.m.	As amended by the Committee on Health, Land, Justice, and Culture
	<b>SESSION DATE</b>	<b>TITLE</b>	<b>DATE PASSED</b>	<b>TRANSMITTED</b>	<b>DUE DATE</b>	<b>PUBLIC LAW NO.</b>	<b>DATE SIGNED</b>	<b>NOTES</b>	
6/24/24	AN ACT TO <i>ADD</i> A NEW § 11318 TO ARTICLE 3 OF CHAPTER 11, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE STATUTE OF LIMITATIONS FOR FINANCIAL AND PROPERTY EXPLOITATION OF AN ELDERLY PERSON OR INDIVIDUAL WITH DISABILITY.	7/10/24	7/10/24	7/22/24	37-115	7/22/24	Received: 7/22/24 Messages and Communications Doc. No. 37GL-24-2388		

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

**Transmitted via Email to: [speaker@guamlegislature.org](mailto:speaker@guamlegislature.org)**

July 22, 2024

**THE HON. THERESE M. TERLAJE**, *Speaker*  
*I Mina'trentai Siette Na Liheslaturan Guåhan*  
37th Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

Doc Type: 37GL-24-2388  
OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

JUL 22 2024

Time: 6:40 pm  
Received: [Signature]

**Re: Bill No. 243-37 (COR) – AN ACT TO ADD A NEW § 11318 TO ARTICLE 3 OF CHAPTER 11, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE STATUTE OF LIMITATIONS FOR FINANCIAL AND PROPERTY EXPLOITATION OF AN ELDERLY PERSON OR INDIVIDUALS WITH DISABILITY.**

*Håfa Adai* Madam Speaker,

Bill No. 243-37 removes the statute of limitations in civil claims involving an individual with a disability or an elderly person who has been the victim of financial or property exploitation and abuse. The sad reality is that we live in a world where people take advantage of those with impairments or disabilities. Unfortunately, when our *manåmko* and individuals with disabilities become victims of financial or property exploitation and abuse, they endure mental or physical limitations that make filing a claim in court more difficult. Bill No. 243-37 will help support our *manåmko* and individuals with disabilities by lifting one of the procedural hurdles for those who seek justice. With Bill No. 243-37, our *manåmko* and individuals with disability will no longer have the additional concern of whether they have met the time frames necessary to file a claim in court.

Chamorro culture focuses on a social support system that emphasizes *inafa'maolek*. This is why we demand the highest respect for our *manåmko*. This tradition of respect also extends to those individuals with disabilities because a central value of our culture is the spirit of cooperation. We must continue to support and protect our most vulnerable.

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**RECEIVED**  
7/30/24 4:00pm  
[Signature]

To: The Hon. Therese M. Terlaje, Speaker  
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam  
Date: July 22, 2024  
Re: Bill No. 243-37 (COR)

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For the foregoing reasons, I am signing Bill No. 243-37 (COR) into law as **Public Law 37-115**.

*Senseramente,*



**LOURDES A. LEON GUERRERO**

*I Maga'hågan Guåhan*

Governor of Guam

Enclosure(s): Bill No. 243-37 (COR) nka P.L. 37-115.

cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam  
Compiler of Laws

*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
2024 (SECOND) Regular Session

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

This is to certify that **Bill No. 243-37 (COR)**, “AN ACT TO *ADD* A NEW § 11318 TO ARTICLE 3 OF CHAPTER 11, TITLE 7, GUAM CODE ANNOTATED, RELATIVE TO REMOVING THE STATUTE OF LIMITATIONS FOR FINANCIAL AND PROPERTY EXPLOITATION OF AN ELDERLY PERSON OR INDIVIDUAL WITH DISABILITY,” was on the 10<sup>th</sup> day of July 2024, duly and regularly passed.

**Therese M. Terlaje**  
Speaker

Attested:

**Amanda L. Shelton**  
Legislative Secretary

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This Act was received by *I Maga'hågan Guåhan* this 10<sup>th</sup> day of July,  
2024, at 4:22 o'clock P.M.

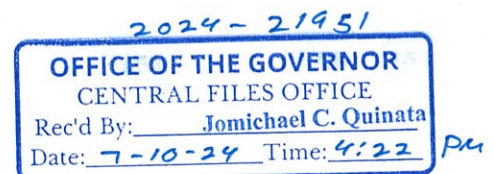
**Emelya C. Sepino**  
Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:

**Lourdes A. Leon Guerrero**  
*I Maga'hågan Guåhan*

Date: JULY 22, 2024

Public Law No. 37-115



*I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN*  
2024 (SECOND) Regular Session

**Bill No. 243-37 (COR)**

As amended by the Committee on  
Health, Land, Justice, and Culture;  
and further amended on the Floor.

Introduced by:

Dwayne T.D. San Nicolas  
William A. Parkinson  
Amanda L. Shelton  
Joe S. San Agustin  
Roy A. B. Quinata  
Tina Rose Muña Barnes  
Jesse A. Lujan  
Chris Barnett  
Frank Blas, Jr.  
Joanne M. Brown  
Christopher M. Dueñas  
Thomas J. Fisher  
Sabina Flores Perez  
Telo T. Taitague  
Therese M. Terlaje

**AN ACT TO *ADD* A NEW § 11318 TO ARTICLE 3 OF  
CHAPTER 11, TITLE 7, GUAM CODE ANNOTATED,  
RELATIVE TO REMOVING THE STATUTE OF  
LIMITATIONS FOR FINANCIAL AND PROPERTY  
EXPLOITATION OF AN ELDERLY PERSON OR  
INDIVIDUAL WITH DISABILITY.**

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

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the financial exploitation of our *manåmko'* (the elderly) is a heinous crime that  
4 should not have a statute of limitations because the physical and mental constitution  
5 of the elderly victims severely impacts and hampers their ability to pursue justice,

1 and because the crime deprives the elderly victims of their living allowance and their  
2 way of supporting themselves; akin to taking the livelihood of someone who is most  
3 likely unable to make a living anymore. According to the National Council on Aging,  
4 “Up to five million older Americans are abused every year, and the annual loss by  
5 victims of financial abuse is estimated to be at least \$36.5 Billion Dollars.” The  
6 number of exploited elderly is astounding and justifies the creation of legislation to  
7 combat this issue. The Council also states that, in about sixty percent (60%) of  
8 elderly abuse incidents, the perpetrator is a family member, usually the spouses or  
9 the children of the victim, a fact that makes this issue a heinous one because these  
10 perpetrators are trusted and relied on by the victims. The Council further states that,  
11 “Social isolation and mental impairment (such as dementia or Alzheimer’s disease)  
12 are two factors” that make the elderly vulnerable to abuse. The elderly with these  
13 conditions are especially vulnerable to financial exploitation and abuse in general.  
14 All of these findings by the National Council on Aging are astoundingly alarming,  
15 something which our *manâmkos* need to be protected from by putting the law on  
16 their side.

17 *I Liheslaturan Guåhan* also finds that the burden of protecting our *manâmkos*  
18 from financial exploitation and abuse lies on the backs of our island’s legislators.  
19 According to the article “Financial Abuse of the Elderly in Domestic Setting” by the  
20 National Institutes of Health’s National Center for Biotechnology Information  
21 (NCBI), “...elder abuse, like other domestic ills, has generally been considered a  
22 state concern rather than a federal concern” and that, “the absence of federal law  
23 pertaining to elder abuse has placed on the states the responsibility to define this  
24 activity.” As a government entity that serves the people, *I Liheslaturan Guåhan*  
25 needs to enact legislation that would protect and help our *manâmkos* find justice in  
26 incidents of financial and elderly abuse.



1           Therefore, *I Liheslaturan Guåhan* intends to enact legislation that will remove  
2 the statute of limitations in cases of elderly financial or property exploitation and  
3 abuse. With this legislation in place, the elderly victims of financial or property  
4 exploitation and abuse will be able to pursue justice without the added worry of a  
5 deadline to file a lawsuit.

6           **Section 2.** A new § 11318 is hereby *added* to Article 3 of Chapter 11, Title  
7 7, Guam Code Annotated, to read as follows:

8           “§ 11318.   **No Time Limit for Financial or Property Exploitation of an**  
9 **Elderly Person or Individual with Disability.**

10           Notwithstanding any other provision of law, any civil claim or claims arising  
11 from an incident of financial or property exploitation of an elderly person or  
12 individual with a disability as defined under Chapter 32 of Title 9, Guam Code  
13 Annotated, may be commenced against a person, a legal entity, abusers, their  
14 enablers, their aiders or abettors, those acting in concert with them, and their  
15 institutions, at any time.”

16           **Section 3. Severability.** If any provision of this Act or its application to any  
17 person or circumstance is found to be invalid or inorganic, such invalidity shall not  
18 affect other provisions or applications of this Act that can be given effect without the  
19 invalid provision or application, and to this end the provisions of this Act are  
20 severable.

21           **Section 4. Effective Date.** This Act shall be effective upon enactment.