

I Mina'trentai Siette Na Lihelaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
169-37 (COR) As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	Therese M. Terlaje Sabina Flores Perez Chris Barnett Frank Blas, Jr. Jesse A. Lujan William A. Parkinson Roy A. B. Quintana Telo T. Taitague	AN ACT TO AMEND §§ 14101, 14102, AND 14103 OF CHAPTER 14, TITLE 18, GUAM CODE ANNOTATED RELATIVE TO THE PUBLICATION OF FINANCIAL INFORMATION BY NONPROFIT ORGANIZATIONS.	9/18/23 9:39 a.m.	9/18/23	Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning	Request: 9/18/23 Waiver: 9/20/23	11/16/23 3:30 p.m.	12/21/23 11:52 a.m.	As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research, and Planning
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	1/22/24	AN ACT TO AMEND §§ 14101, 14102, AND 14103 OF CHAPTER 14, TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PUBLICATION OF FINANCIAL INFORMATION BY NONPROFIT ORGANIZATIONS.	1/26/24	1/30/24	2/10/24	37-63	2/9/24	Received: 2/9/24 Messages and Communications Doc. No. 37GL-24-1639	

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

February 9, 2024

HONORABLE THERESE M. TERLAJE, *Speaker*

I Mina'trentai Siette Na Liheslaturan Guåhan

37th Guam Legislature

Guam Congress Building

163 Chalan Santo Papa

Hagåtña, Guam 96910

3762-24-1639

OFFICE OF THE SPEAKER
THERESE M. TERLAJE

FEB 09 2024

Time: 6:27 pm
Received: SN

Re: Bill No. 169-37 (COR) - AN ACT TO AMEND §§ 14101, 14102, AND 14103 OF CHAPTER 14, TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PUBLICATION OF FINANCIAL INFORMATION BY NONPROFIT ORGANIZATIONS

Håfa Adai Madam Speaker,

Bill No. 169-37 (COR) eliminates the requirement that non-profit organizations publish their financial information in a newspaper of general circulation, and instead requires organizations to file their financial reports with the Director of the Department of Revenue and Taxation (“DRT”) for publication to the DRT’s website. Non-profit agencies play a pivotal role in our community, providing important services, contributing financial support, and, ultimately, improving the lives of our people. This bill will enable the public to more easily obtain the financial information of nonprofit organizations, utilizing DRT’s website, and donors can readily access how their generous contributions are being managed. The bill will also enable more efficient creation, transmission, and storage of this information.

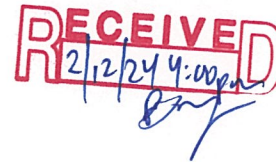
For these reasons, I sign Bill No. 169-37 (COR) into law as **Public Law No. 37-63**.

Senseramente,

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan

Governor of Guam



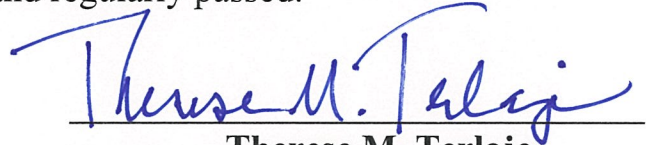
Enclosure: Bill No. 169-37 (COR) nka P.L. 37-63

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

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

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÁGAN GUÁHAN

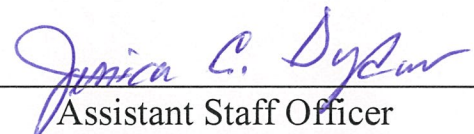
This is to certify that **Bill No. 169-37 (COR)**, “AN ACT TO AMEND §§ 14101, 14102, AND 14103 OF CHAPTER 14, TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THE PUBLICATION OF FINANCIAL INFORMATION BY NONPROFIT ORGANIZATIONS,” was on the 26th day of January 2024, duly and regularly passed.


Therese M. Terlaje
Speaker

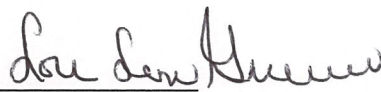
Attested:


Amanda E. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 30th day of January, 2024, at 10:17 o'clock A.M.

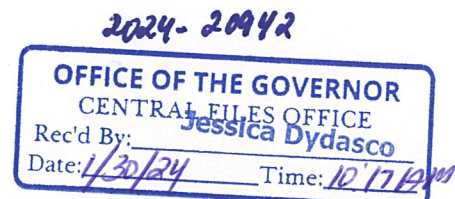

Assistant Staff Officer
Maga'håga's Office

APPROVED:

2/9/2024 
Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 2/9/2024

Public Law No. 37-63



I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÁHAN
2023 (FIRST) Regular Session

Bill No. 169-37 (COR)

As amended by the Committee on Environment,
Revenue and Taxation, Labor, Procurement, and
Statistics, Research, and Planning.

Introduced by:

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

**AN ACT TO *AMEND* §§ 14101, 14102, AND 14103 OF
CHAPTER 14, TITLE 18, GUAM CODE ANNOTATED,
RELATIVE TO MANDATING THE PUBLICATION OF
FINANCIAL INFORMATION BY NONPROFIT
ORGANIZATIONS.**

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

2 **Section 1.** § 14101 of Chapter 14, Title 18, Guam Code Annotated, is
3 hereby *amended* to read:

4 “§ 14101. **Purpose of Chapter.**

1 *I Liheslatura* (the Legislature) finds that the people of Guam are
2 generous contributors to charitable or other nonprofit organizations, but are
3 usually unaware of the disposition made of their contributions, the purpose of
4 this Chapter is to require all such organizations, except strictly religious ones,
5 to make available to the public annual financial statements so that the people
6 of Guam can be made aware of the actual fiscal needs of these organizations
7 and can thus govern themselves in their donations to such organizations
8 accordingly.”

9 **Section 2.** § 14102 of Chapter 14, Title 18, Guam Code Annotated, is
10 hereby *amended* to read:

11 **“§ 14102. Filing of Annual Reports.**

12 Except for an organization that is entirely religious in character,
13 or a fraternal organization operating under the lodge system that does
14 not solicit, directly or indirectly, from the general public donations and
15 contributions, and does not participate in local fund-raising activities
16 such as raffles and bingo games, every nonprofit organization,
17 including, but not limited to, a fraternal benefit society, order or
18 association operating under the lodge system, a corporation,
19 association, or society organized and operated for eleemosynary,
20 scientific, or educational purposes, a business league, a Chamber of
21 Commerce, a civil league, a political party, any organization of more
22 than two (2) individuals whose purpose is to provide funds or other
23 assistance of value to a political candidate, any organization with the
24 avowed purpose of advocating the improvement of the government of
25 Guam or the political process, and an organization operating for the
26 benefit of the community and for the promotion of social welfare, shall
27 within ninety (90) days of the close of its fiscal year annually file a

1 financial report with the Director of the Department of Revenue and
2 Taxation. This financial report shall include a statement of its income
3 and expenditures for the preceding year and a balance sheet showing its
4 assets and liabilities. Such financial statement shall contain a certificate
5 as to its accuracy by an officer of the organization. For the limited
6 purpose of this Section, the fiscal year of a political party or an
7 organization of more than two (2) individuals whose purpose is to
8 provide funds or other assistance of value to a political candidate and
9 any organization with the avowed purpose of advocating for the
10 improvement of the government of Guam or the political process shall
11 end on September 15.”

12 **Section 3.** § 14103 of Chapter 14, Title 18, Guam Code Annotated, is
13 hereby *amended* to read:

14 “§ 14103. **Administration by the Department of Revenue and**
15 **Taxation.**

16 The Director of Revenue and Taxation shall administer the
17 provisions of this Chapter. Within sixty (60) days of the filing of a
18 financial statement with the Director under this Chapter, the
19 Department of Revenue and Taxation shall post the financial statement
20 on its website in a manner that is accessible to the public. Upon a
21 finding of noncompliance thereof by any organization required to file
22 such statement, the Director shall revoke any license or charter issued
23 to such organization by the government of Guam and shall revoke the
24 tax-exempt status of such organization; provided, however, that such
25 action or actions may be taken by the Director only after giving written
26 notice that the organization has failed to file its financial statement, and
27 that the organization has thirty (30) days from receipt of the notice to

1 file its financial statement or the Department will commence
2 proceedings to have the organization's license or charter and tax-
3 exempt status revoked. The notice must be sent by certified mail to the
4 organization at the most current address of the organization on file at
5 the Department of Revenue and Taxation. Actions to revoke an
6 organization's license or charter and tax-exempt status shall be
7 conducted under a public hearing process pursuant to the provisions of
8 the Administrative Adjudication Law found in Chapter 9 of Title 5,
9 Guam Code Annotated."