

*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>191-37 (COR)</b> As amended by the Committee on General Government Operations and Appropriations; and further amended on the Floor.	William A. Parkinson	AN ACT TO <i>ADD</i> A NEW CHAPTER 81 TO DIVISION 2 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO MANDATING ALL GOVERNMENT OF GUAM LEASED OFFICES TO BE ADA COMPLIANT; AND TO CITE THIS ACT AS THE "GOVERNMENT OF GUAM ADA COMPLIANCE ACT OF 2023."	10/19/23 9:41 a.m.	10/23/23	Committee on General Government Operations and Appropriations	Request: 10/23/23  11/1/23	12/12/23 9:00 a.m.	12/27/23 1:55 p.m.	As amended by the Committee on General Government Operations and Appropriations
	<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>	
	2/19/24	AN ACT TO <i>ADD</i> A NEW CHAPTER 81 TO DIVISION 2 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO MANDATING ALL GOVERNMENT OF GUAM LEASED OFFICES TO BE ADA COMPLIANT; AND TO CITE THIS ACT AS THE "GOVERNMENT OF GUAM ADA COMPLIANCE ACT OF 2023."	2/23/24	2/23/24	3/6/24	37-70	3/6/24	Received: 3/6/24 Mess and Comm. Doc. No. 37GL-24-1731	

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HĀGAN GUĀHAN  
OFFICE OF THE GOVERNOR OF GUAM

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

March 6, 20204

The Hon. Therese M. Terlaje  
*Speaker, I Mina'trentai Siette Na Liheslaturan GuĀhan*  
37<sup>th</sup> Guam Legislature  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910

Doc Type: 37GL-24-1731  
OFFICE OF THE SPEAKER  
THERESE M. TERLAJE

MAR 06 2024

Time: 6:16pm  
Received: [Signature]

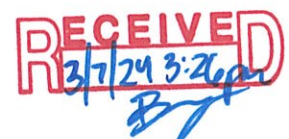
**Re: Bill No. 98-37 (COR) - AN ACT TO ADD A NEW CHAPTER 55 OF DIVISION 5, TITLE 17, GUAM CODE ANNOTATED, RELATIVE TO MANDATING THAT ALL GUAM PUBLIC SCHOOLS BE ADA COMPLIANT, AND TO CITE THIS ACT AS THE "GUAM PUBLIC SCHOOLS ADA COMPLIANCE ACT OF 2023"**

**Bill No. 191-37 (COR) - AN ACT TO ADD A NEW CHAPTER 81 TO DIVISION 2 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO MANDATING ALL GOVERNMENT OF GUAM LEASED OFFICES TO BE ADA COMPLIANT; AND TO CITE THIS ACT AS THE "GOVERNMENT OF GUAM ADA COMPLIANCE ACT OF 2023"**

*Hāfa Adai* Madam Speaker,

Bill Nos. 98-37 (COR) and 191-37 (COR) intend to reinforce compliance with the Americans with Disabilities Act ("ADA") of 1990 and existing ADA regulations in our public schools and government-leased offices. Though I am signing these bills into law recognizing that Guam is bound by federal law and with every intent of upholding the rights of those with disabilities, I must note that implementation of its requirements will come at significant cost, and will pose complex challenges to our agencies, which the bills did not appear to take into account.

Bill No. 98-37 requires that the Guam Department of Education ("GDOE") create a comprehensive plan within 180 days of the bill's enactment to ensure full compliance with the ADA. The bill further provides that the plan must be prepared in consultation with experts who must conduct an accessibility audit. The plan must include a timeline for addressing non-compliance, a list ranking and prioritizing areas of non-compliance, detailed specifications for all construction or modifications, and training for all staff on ADA disability awareness. While GDOE did not oppose the bill, I am concerned that most of GDOE's facilities remain in disrepair and continue to await



To: Therese M. Terlaje, Speaker  
Fr: Lourdes A. Leon Guerrero, Governor of Guam  
Date: March 6, 2024  
Re: Bill No. 98-37 (COR) and Bill No. 191-37 (COR)

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much-needed maintenance post Typhoon Mawar. Further, I am concerned by the unknown fiscal impact of this bill. As noted by the Bureau of Budget and Management Research (“BBMR”), the fiscal impact will not be evident until accessibility audits are conducted by qualified experts who will perform cost estimates for each of the public schools.

Bill No. 191-37 requires that all leased-government offices must conduct accessibility assessments and make modifications consistent with an Accessibility Compliance Plan, and authorizes the Department of Integrated Service for Individuals with Disabilities (“DISID”) to monitor and investigate complaints regarding non-compliance and recommend appropriate action to the Attorney General. I am concerned that DISID, prior to the bill’s passage, testified that they do not have adequate staff or resources to execute this mandate, and as noted by BBMR, the Legislature did not provide for an appropriation and expects that each agency will allocate funding in their current budgets to achieve compliance with Bill No. 191-37.

While my Administration continues to prioritize extending access to those with disabilities, I ask that the Legislature support affected agencies in complying with Bill Nos. 98-37 and 191-37 and the ADA, which will require significant funding and planning.

For these reasons, I sign Bill No. 98-37 (COR) and Bill No. 191-37 (COR) into law as **Public Law 37-69 and Public Law 37-70**, respectively.

*Senseramente,*



**LOURDES A. LEON GUERRERO**

*Maga'hågan Guåhan*

Governor of Guam


Enclosure(s): Bill No. 98-37 (COR) nka P.L. 37-69; Bill No. 191-37 (COR) nka P.L. 37-70

cc via email: The *Honorable* Joshua F. Tenorio, *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***

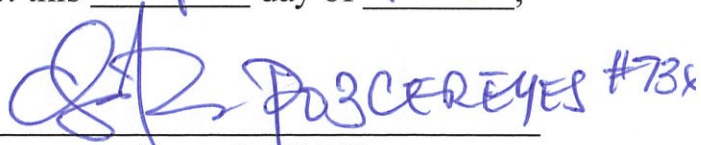
This is to certify that **Bill No. 191-37 (COR)**, “AN ACT TO *ADD A NEW CHAPTER 81 TO DIVISION 2 OF TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO MANDATING ALL GOVERNMENT OF GUAM LEASED OFFICES TO BE ADA COMPLIANT; AND TO CITE THIS ACT AS THE “GOVERNMENT OF GUAM ADA COMPLIANCE ACT OF 2023,”* was on the 23<sup>rd</sup> day of February 2024, duly and regularly passed.

  
Therese M. Terlaje  
Speaker

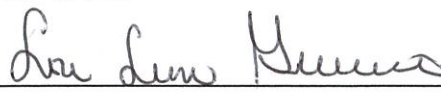
Attested:

  
Amanda L. Shelton  
Legislative Secretary

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This Act was received by *I Maga'hågan Guåhan* this 23<sup>rd</sup> day of FEB,  
2024, at 6:49 o'clock P.M.

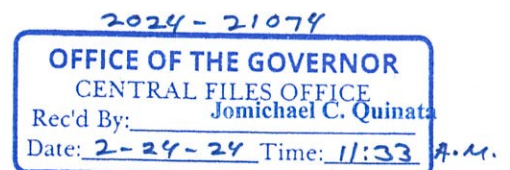
  
Assistant Staff Officer  
*Maga'håga's Office*

APPROVED:

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

Date: 3/6/2024

Public Law No. 37-70





- 1 § 81102. Definitions.
- 2 § 81103. Accessibility Compliance Requirement.
- 3 § 81104. Accessibility Compliance Requirement; Compliance Plan.
- 4 § 81105. Accessibility Compliance Plan; Reporting.
- 5 § 81106. Enforcement.
- 6 § 81107. ADA Compliance.

7 **§ 81101. Short Title.**

8 This Act shall be known as the “Government of Guam ADA  
9 Compliance Act of 2023.”

10 **§ 81102. Definitions.**

11 As used in this Chapter:

12 (a) *ADA* means the Americans with Disabilities Act of 1990,  
13 as amended.

14 (b) *Accessibility standards* means the accessibility  
15 requirements and guidelines established by the ADA, including those  
16 outlined in the ADA Accessibility Guidelines (ADAAG) and the 2010  
17 ADA Standards for Accessible Design.

18 (c) *Government leased office* means any office space leased  
19 or rented by any government agency or department of the government  
20 of Guam.

21 (d) *Person with a disability* means an individual who has a  
22 physical or mental impairment that substantially limits one (1) or more  
23 major life activities.

24 **§ 81103. Accessibility Compliance Requirement.**

25 (a) All government leased offices on Guam, whether leased by  
26 federal, territorial, or local government agencies, shall comply with the

1 accessibility standards outlined in the ADA, the ADAAG, and the 2010 ADA  
2 Standards for Accessible Design.

3 (b) Government agencies and departments leasing office spaces are  
4 responsible for ensuring that the leased offices meet or exceed ADA  
5 accessibility standards.

6 (c) Agencies and departments shall conduct accessibility  
7 assessments and make necessary modifications to leased office spaces to  
8 ensure compliance with ADA accessibility standards.

9 **§ 81104. Accessibility Compliance Requirement; Compliance Plan.**

10 (a) Government agencies and departments leasing office spaces  
11 shall develop and implement an Accessibility Compliance Plan to address  
12 identified barriers and achieve compliance with ADA accessibility standards.

13 (b) The Accessibility Compliance Plan shall include a timeline for  
14 completing necessary modifications and shall be submitted to the Guam  
15 Department of Integrated Services for Individuals with Disabilities for review  
16 and approval.

17 (c) Government agencies and departments shall allocate necessary  
18 funds in their budgets to implement the Accessibility Compliance Plan.

19 **§ 81105. Accessibility Compliance Plan; Reporting.**

20 (a) Government agencies and departments leasing office spaces  
21 shall annually transmit a written report on the progress of accessibility  
22 compliance to the Speaker of *I Liheslaturan Guåhan* and the Guam  
23 Department of Integrated Services for Individuals with Disabilities.

24 (b) The Guam Department of Integrated Services for Individuals  
25 with Disabilities shall monitor compliance with this Chapter and may provide  
26 technical assistance to agencies and departments to achieve accessibility  
27 compliance.

1           **§ 81106.    Enforcement.**

2           The Guam Department of Integrated Services for Individuals with  
3           Disabilities shall have the authority to investigate complaints regarding non-  
4           compliance with this Chapter and recommend appropriate actions.

5           **§ 81107.    ADA Compliance.**

6           All request for proposals issued by the government of Guam, relative  
7           to government leased office spaces or construction of government buildings,  
8           shall comply with all rules and regulations of the ADA.”

9           **Section 2.   Effective Date.** This Act shall be effective October 1,  
10          2026.