

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
153-37 (LS) As amended on the Floor	Frank Blas, Jr. Thomas J. Fisher Dwayne T.D. San Nicolas Frank Blas, Jr. Thomas J. Fisher Dwayne T.D. San Nicolas Roy A. B. Quinata Jesse A. Lujan Sabina Flores Perez Telo T. Taitague Joanne M. Brown Chris Barnett Tina Rose Muña Barnes Therese M. Terlaje Christopher M. Dueñas William A. Parkinson Joe S. San Agustin Amanda L. Shelton	AN ACT TO ADD A NEW SUBSECTION 80.37(b) TO ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE POSSESSION OR USE OF AN EXPLOSIVE OR AN IMPROVISED EXPLOSIVE DEVICE IN THE COMMISSION OF A FELONY.	7/26/23 12:08 p.m.	7/27/23	Committee on Health, Land, Justice, and Culture	Request: 7/27/23 8/2/23	1/8/24 4:00 p.m.	5/10/24 11:34 a.m.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	5/28/24	AN ACT TO <i>ADD</i> A NEW SUBSECTION (i) TO § 80.37 OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE POSSESSION OR USE OF AN EXPLOSIVE OR AN IMPROVISED EXPLOSIVE DEVICE IN THE COMMISSION OF A FELONY.	5/31/24	5/31/24	6/12/24	37-97	6/5/24	Received: 6/5/24 Messages and Communications Doc. No. 37GL-24-2169	

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: officeofsenatorshelton@guamlegislature.org

June 5, 2024

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

Doc Type: 37GL-24-2169
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

JUN 06 2024

Time: 8:30am
Received: [Signature]

Re: Bill No. 153-37 (LS) - AN ACT TO ADD A NEW SUBSECTION (f) TO § 80.37 OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO POSSESSION OR USE OF AN EXPLOSIVE OR AN IMPROVISED EXPLOSIVE DEVICE IN THE COMMISSION OF A FELONY.

Håfa Adai Acting Speaker,

Bill No. 153-37 (LS) amends Guam's criminal code by mandating imprisonment of no less than ten (10) years and no more than twenty-five (25) years when an explosive or an improvised explosive device is unlawfully possessed or used during the commission of a felony in addition to the punishment imposed for the commission of the felony. The current law contains a sentencing enhancement of five (5) to twenty-five (25) years for unlawfully possessing or using a deadly weapon in commission of a felony, in addition to the punishment imposed for the commission of the felony.

While the existing provision mandates a sentencing enhancement for criminals who possess a deadly weapon in the commission of a felony, it is unclear whether the use of explosive devices is covered under this provision. The enactment of this bill would provide clarity in the enforcement of the existing provision, and protect the people of Guam by preventing and deterring the use of explosive devices.

//

//

RECEIVED
6/10/24 8:38am
[Signature]

RICARDO J. BORDALLO GOVERNOR'S COMPLEX
513 W. Marine Corps Drive Hagåtña, Guam 96910
governor.guam.gov | (671) 472-8931

received
6/5/24 6:25pm
Legislative Secretary
Jason T. [Signature]

To: The Hon. Amanda Shelton, Acting Speaker
Fr: The Hon. Lourdes A. Leon Guerrero, Governor of Guam
Date: June 5, 2024
Re: Bill No. 153-37 (LS)

Page 2 of 2

Our administration supports preventing and deterring violent crimes in our community, and we recognize that explosives and improvised explosive devices may cause severe injury to victims of crime.

For this reason, I am signing Bill No. 153-37 (LS) into law as **Public Law No. 37-97**.

Senseramente,



LOURDES A. LEON GUERRERO

I Maga'hågan Guåhan

Governor of Guam

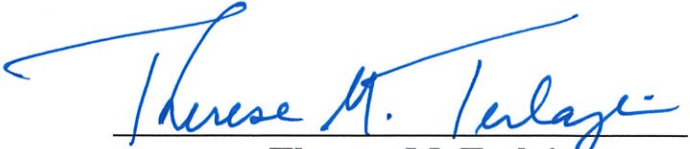
Enclosure(s): Bill No. 153-37 (LS) nka P.L. 37-97

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. 153-37 (LS)**, “AN ACT TO *ADD A NEW SUBSECTION (f) TO § 80.37 OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE POSSESSION OR USE OF AN EXPLOSIVE OR AN IMPROVISED EXPLOSIVE DEVICE IN THE COMMISSION OF A FELONY,*” was on the 31st day of May 2024, duly and regularly passed.


Therese M. Terlaje
Speaker

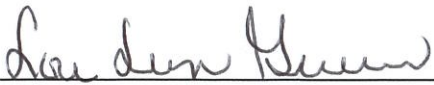
Attested:


Amanda L. Shelton
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 31ST day of MAY,
2024, at 5:22 o'clock P.M.

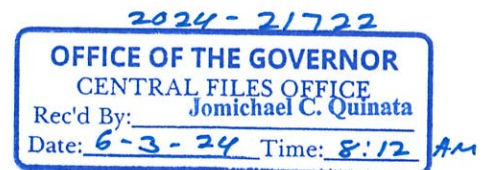

Assistant Staff Officer
Maga'håga's Office

APPROVED:


Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 6/5/2024

Public Law No. 37-97



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

Bill No. 153-37 (LS)

As amended on the Floor.

Introduced by:

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

AN ACT TO *ADD* A NEW SUBSECTION (f) TO § 80.37 OF ARTICLE 2, CHAPTER 80, TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO THE POSSESSION OR USE OF AN EXPLOSIVE OR AN IMPROVISED EXPLOSIVE DEVICE IN THE COMMISSION OF A FELONY.

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

2 **Section 1.** A new Subsection (f) is *added* to § 80.37 of Article 2, Chapter
3 80, Title 9, Guam Code Annotated, to read:

4 “(f) Whoever possesses or uses an explosive device as defined in 10 GCA,
5 Chapter 61, § 61100, or an improvised explosive device (defined as those devices
6 that are placed or fabricated in an improvised manner incorporating destructive,

1 lethal, noxious, pyrotechnic, or incendiary chemicals and designed to destroy,
2 incapacitate, harass, or distract, which may incorporate military weapons, but are
3 normally devised from non-military components) in the commission of a felony
4 punishable under the laws of Guam shall, in addition to the punishment imposed for
5 the commission of such felony, be imprisoned for a term of not less than ten (10)
6 years nor more than twenty-five (25) years.”

7 **Section 2. Severability.** If any provision of this Act or its application to any
8 person or circumstance is found to be invalid or inorganic, such invalidity shall not
9 affect other provisions or applications of this Act that can be given effect without
10 the invalid provision or application, and to this end the provisions of this Act are
11 severable.

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