

I Mina'trentai Ocho 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
228-38 (COR) As amended by the Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs; and further amended in the Committee of the Whole.	Jesse A. Lujan Christopher M. Dueñas Frank F. Blas Jr. Vincent A.V. Borja Sabrina Salas Matanane Eulogio Shawn Gumataotao Shelly V. Calvo V. Anthony Ada Tina Rose Muña Barnes Joe S. San Agustin	AN ACT TO <i>ADD</i> A NEW ARTICLE 15 TO CHAPTER 77, TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE "ENHANCING TOURISM AESTHETICS PROGRAM".	11/18/25 2:34 p.m.	11/25/25	Committee on Transportation, Tourism, Customs, Utilities, and Federal and Foreign Affairs.	Request: 11/25/25 12/9/25	1/12/26 9:00 a.m.	3/10/26 As Amended.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	NOTES			
	3/23/26	AN ACT TO <i>ADD</i> A NEW ARTICLE 15 TO CHAPTER 77 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE "ENHANCING TOURISM AESTHETICS PROGRAM".	3/27/26	3/27/26	4/8/26				

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I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
Thirty-Eighth Guam Legislature

March 27, 2026

The Honorable Lourdes A. Leon Guerrero
I Maga'hågan Guåhan
Ufisinan I Maga'håga
Hagåtña, Guam 96910

Dear *Maga'håga* Leon Guerrero:

Transmitted herewith are Bill Nos. 65-38 (COR), 131-38 (COR), 141-38 (COR), 142-38 (COR), 205-38 (COR), 214-38 (COR), 218-38 (COR), 228-38 (COR), 231-38 (COR), 233-38 (COR), 234-38 (COR), 237-38 (COR), 245-38 (COR), 254-38 (COR), 262-38 (LS), 263-38 (LS), and 279-38 (COR), and Substitute Bill Nos. 206-38 (COR) and 246-38 (COR) which were passed by *I Mina'trentai Ocho Na Liheslaturan Guåhan* on March 27, 2026.

Sincerely,

Senator Sabrina Salas Matanane
Legislative Secretary

POTU Jesse J. Castro

8:24pm, 3.27.26

Enclosure (19)



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I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2026 (SECOND) Regular Session

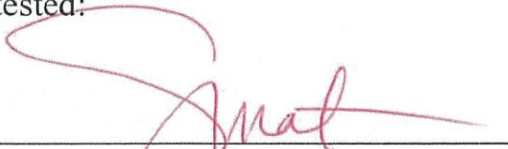
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 228-38 (COR)**, "AN ACT TO *ADD* A NEW ARTICLE 15 TO CHAPTER 77 OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE TO ESTABLISHING THE 'ENHANCING TOURISM AESTHETICS PROGRAM'," was on the 27th day of March 2026, duly and regularly passed.



Frank F. Blas, Jr
Speaker

Attested:



Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 27 day of March 2026, at 8:24 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

APPROVED:

Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

POTM Jose V. Castro
Executive Security

Date: _____

Public Law No. _____

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 228-38 (COR)

As amended by the Committee on Transportation, Tourism,
Customs, Utilities, and Federal and Foreign Affairs;
and further amended in the Committee of the Whole.

Introduced by:

Jesse A. Lujan
Christopher M. Dueñas
Frank F. Blas, Jr.
Vincent A.V. Borja
Sabrina Salas Matanane
Eulogio Shawn Gumataotao
Shelly V. Calvo
V. Anthony Ada
Tina Rose Muña-Barnes
Joe S. San Agustin
Chris Barnett
William A. Parkinson
Telo T. Taitague
Therese M. Terlaje

**AN ACT TO *ADD* A NEW ARTICLE 15 TO CHAPTER 77
OF TITLE 12, GUAM CODE ANNOTATED, RELATIVE
TO ESTABLISHING THE “ENHANCING TOURISM
AESTHETICS PROGRAM”.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that the visual condition of Guam’s commercial buildings and public-facing business
4 establishments has a direct and significant impact on the island’s tourism image,
5 property values, and community pride. Nearly every village in Guam contributes to
6 the visitor experience, whether through hotels, restaurants, retail corridors, or scenic

1 coastal businesses. Encouraging private investment in exterior beautification, façade
2 renovation, signage improvement, and landscaping will not only elevate Guam’s
3 visual appeal but also stimulate small business activity, strengthen local employment
4 in construction and creative trades, and promote a cleaner, more attractive
5 environment for both residents and visitors.

6 *I Liheslaturan Guåhan* further finds that this program supports Guam’s long-
7 term economic diversification goals by enhancing the island’s competitiveness as a
8 tourism and business destination. While existing hotel incentive programs pursuant
9 to Article 2 of this Chapter target large-scale development, this measure extends
10 similar opportunities to small and medium enterprises that make up the fabric of
11 Guam’s commercial landscape. By modernizing storefronts and public-facing
12 structures, this Act ensures that economic growth and aesthetic improvement occur
13 together in every district.

14 It is the intent of *I Liheslaturan Guåhan* to establish a flexible, performance-
15 based tax incentive program that promotes responsible private-sector investment,
16 while maintaining fiscal discipline through an annual program cap, per-applicant
17 limitations, a five-year sunset provision, and mandatory evaluation. This Act is
18 designed to enhance Guam’s image, stimulate local trades, and foster pride in our
19 island’s visual identity.

20 **Section 2.** A new Article 15 is hereby *added* to Chapter 77 of Title 12,
21 Guam Code Annotated, to read as follows:

22 **“ARTICLE 15**

23 **ENHANCING TOURISM AESTHETICS PROGRAM**

- 24 § 771501. Short Title.
- 25 § 771502. Definitions.
- 26 § 771503. Scope and Purpose.
- 27 § 771504. Tax Incentive Menu Options.

- 1 § 771505. Application and Approval Process.
- 2 § 771506. Program Caps and Sunset Provision.
- 3 § 771507. Recapture and Enforcement.
- 4 § 771508. Rulemaking and Coordination.
- 5 § 771509. Reporting and Transportation
- 6 § 771510. Allocation for Guam Economic Development Authority
- 7 (GEDA).
- 8 § 771511. Severability.
- 9 **§ 771501. Short Title.**

10 This Article shall be cited as the “Enhancing Tourism Aesthetics Program”
11 (hereinafter referred to as the “Program”).

12 **§ 771502. Definitions.**

13 For purposes pursuant to Article 4 of this Chapter:

14 (a) ‘Agency’ means the Guam Economic Development Authority
15 (GEDA).

16 (b) ‘Qualified Business’ or ‘Qualified Commercial Structure’ means
17 any commercial entity operating on Guam that:

18 (1) Is current on all tax obligations to the Government of
19 Guam; and

20 (2) Holds all licenses and permits necessary for lawful
21 operation.

22 (c) ‘Qualified Improvement’ means any exterior renovation, façade
23 restoration, landscaping, signage, lighting, or other aesthetic enhancement
24 visible from a public right-of-way or frequented by visitors and residents,
25 which enhances the tourism and community environment of Guam. For
26 purposes of this Article, ‘façade restoration’ means preserving or restoring the
27 aesthetic appearance and/or character of a building’s frontage or exterior.

1 (d) 'Project Cost' means the verified total cost of materials, labor,
2 and professional services directly related to a qualified improvement.

3 (e) 'Applicant' means either the property owner or a tenant with
4 written consent from the property owner.

5 **§ 771503. Scope and Purpose.**

6 The Program shall apply island-wide to qualified commercial structures that
7 are visible to the public and contribute to Guam's tourism image and community
8 environment. GEDA shall assign priority consideration to projects located within
9 designated tourism and village revitalization corridors, including but not limited to
10 *Tumon, Hagåtña*, along Guam Highway 1 (Marine Corps Drive), and other high-
11 visibility commercial areas. Nothing in this section shall preclude other tourism-
12 related facilities located outside of *Tumon, Hagåtña*, or anywhere other than along
13 Guam Highway 1 (Marine Corps Drive) from availing of this program.

14 **§ 771504. Tax Incentive Menu Options.**

15 (a) A qualified business may apply for tax incentives on qualified
16 improvements pursuant to this Article under one or more of the following categories,
17 subject to verification and fiscal caps:

18 (1) Business Privilege Tax Credit: A credit against the unpledged
19 portion of the Business Privilege Tax (BPT) owed.

20 (2) Real Property Tax Abatement: A one hundred percent (100%)
21 abatement for up to three (3) years on the assessed value of improvements to
22 the property.

23 (3) Use Tax Exemption: A one hundred percent (100%) exemption
24 on materials, equipment, and fixtures imported for use in the qualified
25 improvement, if claimed within one (1) year of completion.

1 (b) The aggregate incentive value issued to any applicant shall not exceed
2 twenty-five percent (25%) of verified project cost or Two Hundred Fifty Thousand
3 Dollars (\$250,000), whichever is less.

4 (c) Approved credits not fully utilized in the first tax year may be carried
5 forward for up to two (2) subsequent tax years.

6 **§ 771505. Application and Approval Process.**

7 (a) A qualified business shall submit an application to GEDA prior to
8 commencing construction, including project description, cost estimates, timeline,
9 renderings, proof of tax compliance, and, if applicable, written consent from the
10 property owner.

11 (b) GEDA shall evaluate based on visual impact, contribution to tourism,
12 environmental sustainability, compliance with building and zoning codes, and use
13 of local labor.

14 (c) GEDA may approve, modify, or deny applications and shall issue a Tax
15 Incentive Certificate upon completion.

16 (d) Credits may be released fifty percent (50%) upon verified completion
17 and fifty percent (50%) after one (1) year, contingent upon continued maintenance.

18 (e) Each recipient shall maintain the approved improvements in good
19 visual and structural condition for not less than three (3) years following completion
20 and shall submit an annual self-certification of compliance to GEDA.

21 **§ 771506. Program Caps and Sunset Provision.**

22 (a) The aggregate value of all incentives issued under this Article shall not
23 exceed Five Million Dollars (\$5,000,000) per fiscal year.

24 (b) Unused credits, not exceeding Two Hundred Fifty Thousand Dollars
25 (\$250,000), may be carried forward for one (1) additional fiscal year.

26 (c) No single applicant or affiliated group shall receive incentives
27 exceeding the per-applicant cap established pursuant to § 771504(b) of this Article.

1 (d) This Article shall expire five (5) years after enactment unless
2 reauthorized by *I Liheslaturan Guåhan*.

3 (e) GEDA shall submit a comprehensive evaluation to the Governor and *I*
4 *Liheslaturan Guåhan* six (6) months before sunset, including total incentives issued
5 by type, private investment leveraged, jobs created, geographic distribution, and
6 measurable tourism or business impact indicators.

7 **§ 771507. Recapture and Enforcement.**

8 GEDA and the Department of Revenue and Taxation (DRT) may recapture
9 any incentives if improvements are incomplete, not maintained for three (3) years,
10 or transferred without approval. Recaptured amounts shall be treated as unpaid tax
11 liabilities.

12 **§ 771508. Rulemaking and Coordination.**

13 GEDA shall promulgate rules pursuant to this Article within One Hundred
14 Twenty (120) days from enactment, in consultation with DRT, Department of
15 Administration (DOA), Department of Public Works (DPW), the Mayors Council
16 of Guam (MCOG), Guam Historic Preservation Office (GHPO), and Guam
17 Environmental Protection Agency (GEPA). Agencies shall enter a Memorandum of
18 Understanding (MOU) for coordinated oversight. Rulemaking shall include
19 procedures for scoring, inspection standards, and the form of the Tax Incentive
20 Certificate.

21 **§ 771509. Reporting and Transparency.**

22 GEDA shall submit an annual report to *I Liheslaturan Guåhan* detailing the
23 applications received, the private investment leveraged, the incentives issued by
24 type, the geographic distribution, and economic impact. A public list of approved
25 applicants shall be published on its official website.

26 **§ 771510. Allocation for Guam Economic Development**
27 **Authority (GEDA).**

1 GEDA may allocate up to two percent (2%) of the total value of tax incentives
2 authorized under this Article within each fiscal year for administrative, verification,
3 and reporting expenses. This administrative allocation shall be considered part of the
4 overall annual program's cap established pursuant to § 771506 of this Article and
5 shall not be charged to or deducted from any applicant's approved incentive amount.

6 **§ 771511. Severability.** If any provision of this Act or its application to any
7 person or circumstance is found to be invalid or inorganic, such invalidity shall not
8 affect other provisions or applications of this Act that can be given effect without
9 the invalid provision or application, and to this end the provisions of this Act are
10 severable."

11 **Section 3. Effective Date.** This Act shall become effective upon enactment.