




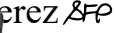



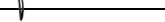
*I Mina'trentai Ocho Na Liheslaturan Guåhan*  
**BILL STATUS**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
<b>330-38 (COR)</b>	Telo T. Taitague V. Anthony Ada Shelly V. Calvo Sabina Flores Perez Frank F. Blas, Jr. Joe S. San Agustin Chris Barnett Jesse A. Lujan	AN ACT TO <i>AMEND</i> §§ 61504, 61505, 61506, 61507, 61508, 61510, 61511, 61512, AND 61513; <i>ADD</i> NEW §§ 61505.1 AND 61511.1 TO ARTICLE 5, CHAPTER 61, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S ESTRAY LIVESTOCK LAWS BY ESTABLISHING AN ESTRAY LIVESTOCK STEWARDSHIP PROGRAM, AUTHORIZING TEMPORARY MUNICIPAL CUSTODY OF ESTRAYS, CREATING THE ESTRAY LIVESTOCK STEWARDSHIP AND ENFORCEMENT FUND, TO STRENGTHEN ESTRAY LIVESTOCK ENFORCEMENT AND PUBLIC SAFETY.	6/8/26 8:47 a.m.  6/16/26 11:25 a.m.						

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

**Bill No. 330-38 (COR)**

Introduced by:

Telo T. Taitague   
V. Anthony Ada   
Shelly V. Calvo   
Sabina Flores Perez   
Frank Blas Jr.   
Joe S. San Agustin   
Chris Barnett   
Jesse A. Lujan 

**AN ACT TO *AMEND* §§ 61504, 61505, 61506, 61507, 61508, 61510, 61511, 61512, AND 61513; *ADD NEW* §§ 61505.1 AND 61511.1 TO ARTICLE 5, CHAPTER 61, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO MODERNIZING GUAM'S ESTRAY LIVESTOCK LAWS BY ESTABLISHING AN ESTRAY LIVESTOCK STEWARDSHIP PROGRAM, AUTHORIZING TEMPORARY MUNICIPAL CUSTODY OF ESTRAYS, CREATING THE ESTRAY LIVESTOCK STEWARDSHIP AND ENFORCEMENT FUND, TO STRENGTHEN ESTRAY LIVESTOCK ENFORCEMENT AND PUBLIC SAFETY.**

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that estray livestock, particularly free-roaming cattle, pose a significant threat to  
4 public safety by creating hazards on Guam's roadways and public areas, increasing  
5 the risk of vehicle collisions, personal injury, and damage to public and private  
6 property. Estray livestock also present health, safety, and welfare concerns for the

1 animals themselves, which may be exposed to injury, starvation, dehydration,  
2 disease, unsafe environmental conditions, or other preventable harm while roaming  
3 unattended.

4 *I Liheslaturan Guåhan* further finds that the Department of Agriculture,  
5 mayors, law enforcement personnel, and members of the public often encounter  
6 practical challenges in responding to estray livestock incidents due to limited  
7 holding facilities, transportation resources, trained personnel, operational funding,  
8 and clearly defined statutory authority. Existing penalties and cost recovery  
9 provisions have not kept pace with the actual expenses associated with the capture,  
10 transportation, care, veterinary treatment, and management of estray livestock.

11 *I Liheslaturan Guåhan* additionally finds that livestock owners, ranchers,  
12 farmers, and other qualified members of the agricultural community may serve an  
13 important role in assisting with the temporary care and management of estray  
14 livestock when government resources are limited. Establishing a structured  
15 stewardship program can improve animal welfare outcomes, reduce risks to the  
16 public, and support more efficient enforcement and resolution of estray incidents.

17 It is therefore the intent of *I Liheslaturan Guåhan* to modernize Guam's estray  
18 livestock laws by: Strengthening public safety and reducing roadway hazards caused  
19 by estray livestock; Protecting the health, safety, and welfare of estray livestock  
20 through appropriate handling, transportation, temporary care, and veterinary  
21 oversight; authorizing temporary municipal custody and coordinated estray response  
22 efforts; establishing an Estray Livestock Stewardship Program to facilitate  
23 temporary care placement with qualified custodial caretakers; creating the Estray  
24 Livestock Stewardship and Enforcement Fund to support estray livestock  
25 management, enforcement activities, and reimbursement of approved expenses;  
26 establishing safety protocols and promoting safe livestock handling practices;  
27 encouraging voluntary owner compliance, livestock identification, and timely

1 reclamation of estrays; providing appropriate liability protections for persons acting  
2 in good faith under this Article; and ensuring that the costs associated with stray  
3 livestock management are borne by responsible livestock owners rather than  
4 taxpayers whenever practicable.

5 **Section 2.** § 61504 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
6 is hereby *amended*, to read:

7 “ § 61504. **Impoundment and Temporary Municipal Custody of Estrays.**

8 (a) The Department of Agriculture shall seize and impound all estrays.

9 (b) The ~~Commissioners~~ Mayors of Guam shall have the concurrent  
10 ~~responsibility authority within~~ their respective jurisdictions ~~of collecting any~~  
11 ~~estrays and turning them over to~~ municipalities to collect, secure, transport, or  
12 coordinate the temporary care placement of estrays pending the retrieval, transfer,  
13 impoundment, custodial caretaker placement, or other lawful disposition by the  
14 Department of Agriculture.

15 (c) A Mayor may enter into a memorandum of understanding with the  
16 government agency having jurisdiction over public property within the municipality,  
17 to designate such property as a holding area for the municipality’s temporary custody  
18 and care of an stray livestock.

19 (d) The Department of Agriculture may enter into a memorandum of  
20 understanding with mayors for the administration, coordination of stray response,  
21 temporary care placement, transportation, and livestock management activities.

22 (e) Temporary Municipal Custody pursuant to this Section shall not constitute  
23 ownership or permanent custody of the stray livestock by the municipality.”

24 **Section 3.** § 61505 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
25 is hereby *amended*, to read:

26 “ § 61505. **Estray Animal Control Unit and Estray Livestock Stewardship**  
27 **Program.**

1           (a) The Department of Agriculture shall maintain an estray animal  
2 control unit. The estray animal control unit shall provide for the care, custody,  
3 transportation, impoundment, temporary care placement, and lawful disposition of  
4 estrays. and keep of any estrays impounded as provided by this Article.

5           (b) The Department of Agriculture is authorized to establish and administer  
6 an Estray Livestock Stewardship Program for the temporary care placement of estray  
7 livestock with qualified custodial caretakers.

8           (c) The Department may approve livestock owners, ranchers, farmers,  
9 agricultural operators, or other qualified persons as custodial caretakers for estray  
10 livestock.

11           (d) Temporary care placement may continue pending:

12                   (1) Identification of the owner;

13                   (2) Reclamation by the owner;

14                   (3) Transfer to Department custody;

15                   (4) Public sale or disposition pursuant to law;

16                   (5) Other lawful disposition authorized by the Department.

17           (e) Custodial caretakers may receive reimbursement from the Estray  
18 Livestock Stewardship and Enforcement Fund established pursuant to this Article  
19 for the reasonable expenses associated with feed, care, veterinary services,  
20 transportation, fencing, and livestock maintenance.

21           (f) A Custodial caretaker shall have the right of first refusal to acquire lawful  
22 ownership of an estray livestock in the caretaker's custody, if the caretaker elects to  
23 do so, following the expiration of all notice, reclamation and disposition  
24 requirements established by this Article. The Department of Agriculture may  
25 transfer ownership directly to the custodial caretaker or permit the caretaker to match  
26 the highest acceptable bid at any public sale conducted pursuant to § 61510."

1           **Section 4.** A new § 61505.1 is hereby *added* to Article 5, Chapter 61, Title  
2 5, Guam Code Annotated, to read:

3           “ **§ 61505.1. Estray Livestock Safety Protocols.**

4           (a) The Department of Agriculture shall develop and maintain safety  
5 protocols governing the capture, handling, transportation, detention, temporary  
6 custodial care, and disposition of estray livestock by the Department, mayors, law  
7 enforcement personnel, and authorized persons acting pursuant to this chapter.”

8           **Section 5.** § 61506 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
9 is hereby *amended* ,to read:

10           “ **§ 61506. Seizure of Estrays by Private Persons: Lien-; Reimbursement.**

11           (a) Notwithstanding § 61505, any person finding any estray upon premises in  
12 his possession, or upon highways and streets adjacent thereto, may seize such estray  
13 and shall have a lien thereon for all costs incurred in seizing, keeping and caring for  
14 such estray and also for any damages in, on, or to such person’s premises or other  
15 property caused by such estray.

16           (b) Any person seizing and securing an estray pursuant to this Section, shall  
17 notify the Department of Agriculture or the Mayor of the municipality of such  
18 seizure within twenty-four (24) hours; and the Department of Agriculture shall  
19 remove the seized estray and impound the same, subject to the amount of the claim  
20 of such person for seizing and any damages caused by such estray. The amount so  
21 claimed shall be declared at the time of impounding to the Department of  
22 Agriculture. provided, however, that weekends and government-recognized  
23 holidays shall not count toward the twenty-four (24) hour notification period.  
24 Notification transmitted by electronic mail on a weekend or government-recognized  
25 holiday shall constitute sufficient notice for purposes of this Subsection.

26           (c) The Department of Agriculture may reimburse municipalities, custodial  
27 caretakers, and private persons from the Estray Livestock Stewardship and

1 Enforcement Fund for approved reasonable expenses incurred pursuant to this  
2 Article.

3 (d) Reimbursement under this Section shall not extinguish the government’s  
4 right to pursue recovery of costs, fees, penalties, or damages from the owner of the  
5 estrays.”

6 **Section 6.** § 61507 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
7 is hereby *amended*, to read:

8 **“ § 61507. Notice of Seizure.**

9 The Director of Agriculture shall, within five days, after notification of  
10 impoundment of an estray, cause public notice to be given that the estray, if not  
11 reclaimed, ~~will~~ may be sold at public sale at the Department of Agriculture by the  
12 Director on a date specified which shall be not less than 15 days after the date of the  
13 notice, transferred to an approved custodial caretaker, or otherwise lawfully disposed  
14 of pursuant to this Article. The notice shall also state the number and description of  
15 the estrays impounded, the brands if any, the date and place of impounding, the name  
16 of the private person, if any, who made the seizure, and the amount claimed by such  
17 person as costs and damages, the amount per day charged for care and keep of estrays  
18 by the Department of Agriculture and that the estray may be claimed by the owner  
19 at any time prior to the sale, transfer or other lawful disposition ~~from the Director~~ in  
20 accordance with § 61509. Such notice shall be delivered to the owner, if the owner  
21 is known. The notice shall be published ~~two times in a newspaper of general~~  
22 ~~circulation in Guam~~ in accordance with Chapter 8, Title 5, Guam Code Annotated  
23 prior to the date of sale, transfer or other lawful disposition of the estray.”

24 **Section 7.** § 61508 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
25 is hereby *amended*, to read:

26 **“ § 61508. Fees and Costs.**

1           ~~The charge per day for care and keep for each estray seized and impounded~~  
2 ~~by the Department of Agriculture shall be Two Dollars for each horse, mule, cattle,~~  
3 ~~or carabao and One Dollar per day for each sheep, pig, or goat.~~

4           (a) The Department of Agriculture may assess reasonable fees and costs  
5 associated with:

6                   (1) Impoundment;

7                   (2) Transportation;

8                   (3) Temporary care placement;

9                   (4) Veterinary services;

10                   (5) Feeding and care;

11                   (6) Municipal holding;

12                   (7) Notice and publication; and

13                   (8) Other necessary estray management expenses.

14           (b) Municipalities, custodial caretakers, and private persons who lawfully  
15 seize, detain, secure, transport, care for or report estrays pursuant to this Article may  
16 be reimbursed from the Estray Livestock Stewardship and Enforcement Fund for  
17 approved expenses incurred in connection with estray livestock management,  
18 provided that sufficient documentation of such expenses is submitted.

19           (c) Reimbursement under this Section may include expenses associated with  
20 feed, water, fencing, pasture use, labor, veterinary services, transportation,  
21 equipment damage, emergency containment materials, and other approved livestock  
22 management costs.

23           (d) Nothing in this Section shall prohibit the Department from seeking  
24 reimbursement or civil recovery from the owner of the estray.”

25           **Section 8.** § 61510 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
26 is hereby *amended*, to read:

27           **“ § 61510. Disposition of Unclaimed Estrays.**

1 (a) Any estray remaining unclaimed at the time fixed for the date of sale in  
2 the notice required by § 61507 shall be sold at public sale by the Director.

3 (b) The minimum acceptable bid at the sale on each estray shall not be less  
4 than the charged for care and keep, impounding, and costs of sale.

5 (c) The sale shall be to the highest bidder and the terms of sale shall be cash.

6 (d) If no acceptable bid is received, the Director shall declare the estray sold  
7 to the government of Guam in payment for the charges for care and keep,  
8 impounding, and costs of sale. Any estray sold to the Government of Guam shall be  
9 delivered to the Department of Agriculture.

10 (e) All sales shall be final and bar any right of recovery.

11 (f) The Director shall issue a proper bill of sale for the estray sold to the  
12 highest bidder after completion of the sale. All sales made under the provisions of  
13 this Article convey a good and valid title to the purchaser.

14 (g) Notwithstanding this Section, the Department may transfer ownership to  
15 an approved custodial caretaker pursuant to § 61505 (f) following satisfaction of all  
16 notice and reclamation requirements of this Article.”

17 **Section 9.** § 61511 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
18 is hereby *amended*, to read:

19 **“ § 61511. ~~Disposition of Sale Proceeds~~ Estray Livestock Stewardship and**  
20 **Enforcement Fund.**

21 ~~The proceeds, if any, from the sale of estrays shall be paid into the General~~  
22 ~~Fund. A private person claiming a lien against the estray shall file written proof of~~  
23 ~~such amount of lien, under oath, with the Director. If the Director shall be satisfied~~  
24 ~~of the validity of the amount claimed, he shall authorize payment thereof from any~~  
25 ~~proceeds of the sale of the estray on which the lien is claimed, after deducting~~  
26 ~~charged for care and keep, impounding, and costs of sale allowed by this Article.~~

1           (a) There is hereby created, separate and apart from other funds of the  
2 government of Guam, the ‘Estray Livestock Stewardship and Enforcement Fund.’

3           (b) The Fund shall be administered by the Department of Agriculture.

4           (c) The Fund shall consist of:

5                   (1) Legislative appropriations;

6                   (2) Fines and penalties collected pursuant to this Article;

7                   (3) Impoundment and administrative fees;

8                   (4) Proceeds from estray sales by the Department;

9                   (5) grants, donations; and

10                  (6) other revenues lawfully received for purposes of this Article.

11          (d) Monies in the Fund shall not lapse and may be used for:

12                   (1) Reimbursement to private persons;

13                   (2) Custodial caretaker reimbursement;

14                   (3) Municipal reimbursement;

15                   (4) Feed and livestock care;

16                   (5) veterinary services;

17                   (6) fencing and temporary holding facilities;

18                   (7) Livestock transportation;

19                   (8) enforcement activities; and

20                  (9) Other estray livestock management purposes authorized by the

21 Department.

22          (e) The Director of the Department of Agriculture may utilize unobligated and  
23 unexpended appropriations lawfully available to the Department for startup and  
24 implementation costs associated with this Article pending capitalization of the  
25 Estray Livestock Stewardship and Enforcement Fund.”

26          **Section 10.** A new § 61511.1 is hereby *added* to Article 5, Chapter 61, Title  
27 5, Guam Code Annotated, to read:

1                   **“§ 61511.1. Voluntary Reclamation Compliance Waiver.**

2           (a) An owner who voluntarily reclaims estray livestock within seven (7)  
3 calendar days of notice of impoundment or publication of notice may qualify for a  
4 waiver or reduction of penalties under this Article, provided the owner:

5                   (1) establishes proof of ownership;

6                   (2) cooperates with Department livestock registration and identification  
7 requirements within a period prescribed by the Department. The Department  
8 shall issue any livestock identification, such as livestock identification tags,  
9 required by law or regulation; and

10                   (3) pays reasonable care, transportation, veterinary, administrative, and  
11 other actual costs associated with the estray as determined by the Department.

12           (b) The waiver authorized under this Section shall apply only to first-time  
13 violations occurring within a three (3) year period.

14           (c) The waiver shall not apply where:

15                   (1) the estray incident resulted in bodily injury or death;

16                   (2) substantial property damage occurred;

17                   (3) the owner intentionally abandoned the livestock; or

18                   (4) the owner is determined to be a repeat or habitual violator.

19           (d) Nothing in this Section shall prohibit the Department from issuing  
20 warnings, compliance orders, corrective action requirements, or seeking  
21 reimbursement of actual costs incurred.”

22           **Section 11.** § 61512 of Article 5, Chapter 61, Title 5, Guam Code Annotated  
23 is hereby *amended*, to read:

24           **“ § 61512. Liability Protections.**

25           (a) No liability shall be incurred by the government of Guam, ~~or any of its~~  
26 ~~officers or employees~~ including the Department of Agriculture, any mayor,  
27 municipal employee, and custodial caretaker, private person, contractor, volunteer,

1 or any authorized agent acting in good faith in carrying out the provisions of this  
2 Article.

3 (b) Liability protections under this Section shall apply to activities including,  
4 but not limited to:

- 5 (1) seizure;
- 6 (2) transportation;
- 7 (3) temporary custodial care;
- 8 (4) veterinary treatment; and
- 9 (5) lawful disposition of estrays.

10 (c) The protections of this Section shall not apply in cases involving gross  
11 negligence, reckless misconduct, or intentional harm.”

12 **Section 12.** § 61513 of Article 5, Chapter 61, Title 5, Guam Code Annotated,  
13 is hereby amended to read:

14 **“ §. Penalty Penalties.**

15 (a) Any owner who violates any provision of this Article shall be published  
16 by a fine not to exceed Ten Dollars for the first violation, and a fine not to exceed  
17 Twenty-five Dollars for the second violation and any violation thereafter. subject to:

18 (1) a fine not exceeding Five Hundred Dollars (\$500) for a first  
19 violation per animal;

20 (2) a fine not exceeding One Thousand Dollars (\$1,000) for a second  
21 violation per animal; and

22 (3) a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500)  
23 for a third or subsequent violation per animal.

24 (b) In addition to fines authorized by this Section, the owner shall be  
25 responsible for all reasonable costs for the temporary custodial care, transportation,  
26 veterinary treatment, administrative, municipal, and other actual costs incurred  
27 pursuant to this Article.

1           (c) Each stray animal and each separate incident may constitute a separate  
2 violation.

3           (d) The Department may pursue civil recovery of unpaid costs and fees  
4 associated with stray livestock management.”

5           **Section 13. Implementation.** The Department of Agriculture shall  
6 promulgate all rules and regulations necessary to implement this Act no later than  
7 one-hundred eighty (180) days following enactment. Pending the promulgation of  
8 rules and regulations, the Department may establish interim policies and procedures  
9 consistent with this Act.

10           **Section 14. Severability.** If any provision of this Act or its application to any  
11 person or circumstance is found to be invalid or unconstitutional, such invalidity  
12 shall not affect other provisions or applications of this Act that can be given effect  
13 without the invalid provision or application, and to this end the provisions of this  
14 Act are severable.

15           **Section 15. Effective Date.** This Act shall become effective upon enactment.