











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
33-38 (COR)	V. Anthony Ada Christopher M. Dueñas Frank Blas, Jr. William A. Parkinson Joe S. San Agustin Jesse A. Lujan Chris Barnett Sabina F. Perez Sabrina Salas Matanane Tina Rose Muña Barnes Shelly V. Calvo	AN ACT TO AMEND §§ 25.15(a)(2) AND 25.20(a)(2) OF CHAPTER 25, TITLE 9 AND §715(b)(7) OF CHAPTER 7 TITLE 1 GUAM CODE ANNOTATED RELATIVE TO EXPANSION OF THE ELEMENTS FOR FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT.	1/21/25 9:45 a.m.						

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

Bill No. 33 -38 (COR)

Introduced by:

V. Anthony Ada 
 Christopher M. Dueñas 
 Frank Blas, Jr. 
 William A. Parkinson 
 Joe S. San Agustin 
 Jesse A. Lujan 
 Chris Barnett 
 Sabina F. Perez 
 Sabrina Salas Matanane 
 Tina Rose Muña Barnes 

 Shelly V. Calvo 

AN ACT TO AMEND §§ 25.15(a)(2) AND 25.20(a)(2) OF CHAPTER 25, TITLE 9 AND §715(h)(7) OF CHAPTER 7 TITLE 1 GUAM CODE ANNOTATED RELATIVE TO EXPANSION OF THE ELEMENTS FOR FIRST AND SECOND DEGREE CRIMINAL SEXUAL CONDUCT.

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

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that Guam’s criminal statute on Criminal Sexual Conduct has, in recent years, caught
4 up to most of the U.S. states in terms of punishment for heinous crimes committed
5 against children.

6 Like most states, Guam’s 1st and 2nd degree Criminal Sexual Conduct (CSC)
7 laws apply, mainly, to perpetrator that victimize children age 13 and younger. In
8 April of 2021, Guam eliminated protections for first time offenders from the Justice
9 Safety Act for those who convicted of 1st and 2nd degree CSC which are both first
10 degree felonies with extended minimum sentences.

1 In June of 2024, Guam enacted Jessica’s Law which added ten years to the
2 minimum sentences for 1st and 2nd degree CSC where the victims are 11 years of age
3 and younger.

4 *I Liheslaturan Guåhan* further finds that like most states, Guam charges the
5 crime of 3rd degree CSC (a 2nd degree felony) for perpetrators that sexually assault
6 victims 14 years of age and older. Also like most states, Guam upgrades the charge
7 to 1st and 2nd degree CSC where the victim is 14 or 15 years of age and the perpetrator
8 is a member of the victim’s household, related by blood or marriage or in a position
9 of authority over the victim. Unlike most states, however, Guam does not upgrade
10 the level of the crime in cases of 14- and 15-year-old victims where the perpetrator’s
11 employment creates opportunities to commit sexual assault or if the perpetrator is in
12 a dating relationship with a member of the victim’s household.

13 It is the intent of *I Liheslaturan Guåhan* to expand and create sufficient
14 specificity, in the relationships between victims and perpetrators to charge the crimes
15 of 1st and 2nd degree Criminal Sexual Conduct committed against victims who are
16 14 or 15 years of age.

17 **Section 2.** § 25.15(a)(2) of Chapter 25, Title 9, Guam Code Annotated is
18 *amended* to read as follows:

19 “(2) the victim is at least fourteen (14) but less than sixteen (16) years
20 of age and any of the following circumstances exist:

21 A. the actor is a member of the same household as the victim,

22 B. the actor is related to the victim by blood or affinity to the
23 fourth degree to the victim, or

24 C. the actor is in a position of authority over the victim and used
25 this authority to coerce the victim to submit;₂

1 D. The actor is a teacher, substitute teacher, intern/student
2 teacher or administrator of the public school, nonpublic school, school
3 district, in which that other person is enrolled,

4 E. The actor is an employee or a contractual service provider of
5 the public school, nonpublic school, or school district, in which that
6 other person is enrolled, or is a volunteer who is not a student in any
7 public school or nonpublic school, or is an employee of the government
8 of Guam or Government of the United States assigned to provide any
9 service to that public school, nonpublic school, or school district, and
10 the actor uses his or her employee, contractual, or volunteer status to
11 gain access to, or to establish a relationship with, that other person,

12 F. The actor is an employee, contractual service provider, or
13 volunteer of a child care facility, or a person licensed or lawfully
14 authorized to operate a foster care facility or home or a foster care group
15 home in which that other person is a resident, and the sexual penetration
16 occurs during the period of that other person's residency,

17 G. The actor is an employee, contractual service provider, or
18 volunteer of a social services organization, victims' advocacy
19 organization, youth correctional or detention facility, drug treatment
20 facility or medical, psychiatric or psychological treatment facility and
21 the sexual penetration occurs during the period of that other person's
22 residency, or

23 H. The actor is in a dating relationship with a member of the
24 victim's household.”

25 **Section 3.** § 25.20(a)(2) of Chapter 25, Title 9, Guam Code Annotated is
26 *amended* to read as follows:

1 “(2) the victim is at least fourteen (14) but less than sixteen (16) years
2 of age and any of the following circumstances exist:

3 A. the actor is a member of the same household as the victim,

4 B. the actor is related to the victim by blood or affinity to the
5 fourth degree to the victim,

6 C. the actor is in a position of authority over the victim and used
7 this authority to coerce the victim to submit;

8 D. The actor is a teacher, substitute teacher, intern/student
9 teacher or administrator of the public school, nonpublic school, school
10 district, in which that other person is enrolled,

11 E. The actor is an employee or a contractual service provider of
12 the public school, nonpublic school, school district, in which that other
13 person is enrolled, or is a volunteer who is not a student in any public
14 school or nonpublic school, or is an employee of the government of
15 Guam or Government of the United States assigned to provide any
16 service to that public school, nonpublic school, school district, or and
17 the actor uses his or her employee, contractual, or volunteer status to
18 gain access to, or to establish a relationship with, that other person,

19 F. The actor is an employee, contractual service provider, or
20 volunteer of a child care facility, or a person licensed or lawfully
21 authorized to operate a foster care facility or home or a foster care group
22 home in which that other person is a resident, and the sexual penetration
23 occurs during the period of that other person's residency, or

24 G. The actor is an employee, contractual service provider, or
25 volunteer of a social services organization, victims' advocacy
26 organization, youth correctional or detention facility, drug treatment
27 facility or medical, psychiatric or psychological treatment facility and

1 the sexual penetration occurs during the period of that other person's
2 residency.”

3 **Section 3.** § 715(h)(7) of Chapter 7, Title 1, Guam Code Annotated is
4 *amended* to read as follows:

5 “(7) The word affinity when applied to the marriage relation, signifies
6 the connection existing in consequence of marriage, between each of the
7 married persons and the blood relative of the other. For purposes of Chapters
8 25 and 30 of Title 9, Guam Code Annotated, the word affinity also applies to
9 the dating relation, signifies the connection existing in consequence of dating,
10 between each of the dating persons and the blood relative of the other.”