

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
45-38 (COR)	William A. Parkinson	AN ACT TO ADD A NEW CHAPTER 94 TO TITLE 9 OF GUAM CODE ANNOTATED, RELATIVE TO REQUIRING THOSE CONVICTED OF VEHICULAR HOMICIDE WHILE IMPAIRED TO PAY RESTITUTION TO THE SURVIVING MINOR CHILDREN OF THE VICTIM; AND TO CITE THIS ACT AS "BENTLEY'S LAW".	2/3/25 9:04 a.m.						

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

Bill No. 45-38 (COR)

Introduced by:

William A. Parkinson 

**AN ACT TO *ADD* A NEW CHAPTER 94 TO TITLE 9 OF
GUAM CODE ANNOTATED, RELATIVE TO
REQUIRING THOSE CONVICTED OF VEHICULAR
HOMICIDE WHILE IMPAIRED TO PAY RESTITUTION
TO THE SURVIVING MINOR CHILDREN OF THE
VICTIM; AND TO CITE THIS ACT AS “BENTLEY’S
LAW”.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A *new* Chapter 94 is hereby *added* to Title 9 of Guam Code
Annotated to read:

“CHAPTER 94

BENTLEY’S LAW

§ 94101. Short Title. This Act shall be known as “Bentley’s Law”.

§ 94102. Definitions. As used in this Chapter:

(a) “Child/Children” means the biological child, step-child, or
foster child of whom a victim under this Act has legal custody.

§ 94103. Vehicular Homicide While Driving Impaired: Restitution

(a) In addition to the sentencing requirements in Subsection (b) of
this Section, any person who is convicted of vehicular homicide while driving

1 impaired, as defined in this Section, shall be required to pay restitution in the
2 form of monetary support for the victim's surviving minor children, if any,
3 until each child reaches the age of eighteen, or until the age of twenty-three
4 for any child who enrolls full-time in a college, university, vocational school,
5 or trade school, in an amount to be determined by the court and to be paid to
6 the person responsible for raising the children. The court shall determine an
7 amount for restitution under this Article that is reasonable and necessary to
8 support the child, considering all relevant factors including:

9 (1) The financial needs and resources of the child.

10 (2) The financial needs and the resources of the surviving
11 parent or guardian.

12 (3) The standard of living to which the child is accustomed.

13 (4) The physical and emotional well-being of the child and the
14 child's educational needs.

15 (5) The child's physical and legal custody arrangements; and

16 (6) The reasonable work-related child care expenses of the
17 surviving parent or guardian, if applicable.

18 (b) Arrangements for Payment if Incarcerated. If a defendant
19 ordered to pay restitution under this article is unable to make the required
20 restitution payments because the defendant is confined or imprisoned in a
21 correctional facility, the defendant shall begin payments no later than the first
22 anniversary of the date of the defendant's release from the facility.

23 (1) A restitution order issued under this article may be
24 enforced by the court, or by a surviving parent or guardian of the person
25 named in order to receive the restitution in the same manner as a
26 judgement in a civil action."

1 **Section 2. Effective Date.** This Act shall take effect immediately upon its
2 enactment.

3 **Section 3. Severability.** If any provision of this Act or its application to any
4 person or circumstance is found to be invalid or inorganic, such invalidity shall not
5 affect other provisions or applications of this Act that can be given effect without
6 the invalid provision or application, and to this end the provisions of this Act is
7 severable.