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
221-38 (COR)	Shelly V. Calvo	AN ACT TO *ADD* A NEW ARTICLE 4 TO CHAPTER 3 OF TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO THE RECOGNITION AND REGULATION OF COMMON LAW MARRIAGE IN GUAM.	11/7/25 2:57 p.m.	11/17/25	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 11/17/25 11/20/25			

November 20, 2025

To: **Rennae V. C. Meno**
Clerk of the Legislature

From: **Vice Speaker V. Anthony Ada**
Chairperson, Committee on Rules

Subject: **Fiscal Note for Bill No. 221-38 (COR)**

Håfa Adai!

Find the attached, Fiscal Note for the following bill:

Bill No. 221-38 (COR).

I also request that the same be sent to the respective Chairperson of the Standing Committee, to which this bill has been referred. Kindly copy the same to Management Information Services (MIS) for posting on our website.

Bureau of Budget & Management Research
Fiscal Note of Bill No. 221-38 (COR)

AN ACT TO ADD A NEW ARTICLE 4 TO CHAPTER 3 OF TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO THE RECOGNITION AND REGULATION OF COMMON LAW MARRIAGE IN GUAM.

Department/Agency Appropriation Information	
Dept./Agency Affected: Unified Judiciary of Guam	Dept./Agency Head: Robert J. Torres Jr., Chief Justice
Department's General Fund (GF) appropriation(s) to date: Operations ($42,870,824); Drug and Therapeutic Courts ($889,319); Electronic Monitoring Program ($868,157); Guam Criminal Law and Procedure Review Commission ($378,845)	45,007,145
Department's Other Fund (Specify) appropriation(s) to date: Safe Streets Fund-Family Visitation Center ($37,334)	29,993
	45,037,138

Fund Source Information of Proposed Appropriation

	General Fund:	(Specify Special Fund):	Total:
FY 2025 Unreserved Fund Balance		$0	$0
FY 2026 Adopted Revenues	$0	$0	$0
FY 2026 Appro. (P.L. 38-60)	$0	$0	$0
Sub-total:	$0	$0	$0
Less appropriation in Bill	$0	$0	$0
Total:	$0	$0	$0

Estimated Fiscal Impact of Bill

	One Full Fiscal Year	For Remainder of FY 2025 (if applicable)	FY 2026	FY 2027	FY 2028	FY 2029
General Fund	$0	1/	1/	1/	1/	1/
Special Fund	$0	1/	1/	1/	1/	1/
Total	$0	1/	1/	1/	1/	1/

1. Does the bill contain "revenue generating" provisions? / X / Yes / X / No
If Yes, see Attachment.
2. Is amount appropriated adequate to fund the intent of the appropriation? / X / N/A / / Yes / / No
If no, what is the additional amount required? $ ________ / / N/A
3. Does the Bill establish a new program/agency? / / Yes / X / No
If yes, will the program duplicate existing programs/agencies? / X / N/A / / Yes / / No
Is there a federal mandate to establish the program/agency? / / Yes / X / No
4. Will the enactment of this Bill require new physical facilities? / / Yes / X / No
5. Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: / X / Yes / / No
/ / Requested agency comments not received by due date / / Other:

Analyst: Gianni Toves, BMA I Date: 11/19/2025 Director: Lester L. Carlson, Jr., Director Date: NOV 20 2025

Comments:

1/ According to comments received on Bill No. 221-38 (COR), the Unified Judiciary of Guam notes that the bill has been reviewed, which will authorize parties to petition the Superior Court for a judicial declaration of common law marriage. While the fiscal impact will depend on how many petitions are ultimately filed, creating a new cause of action would require a corresponding filing fee, the development of new administrative workflows, and may lead to an increase in filings related to domestic matters. Absent further information on expected filing volume, an exact fiscal impact cannot be determined at this time.

BUREAU OF BUDGET AND MANAGEMENT REASEARCH
COMMENTS ON BILL NO. 221-38 (COR)

Bill No. 221-38 (COR) is an act to add a new Article 4 to Chapter 3 of Title 19, Guam Code Annotated, relative to the recognition and regulation of common law marriage in Guam.

Based on the legislative intent of Bill 221-38 (COR), many couples on Guam cohabitate, share resources, raise families, and present themselves as married, but who have not undergone a formal civil or religious marriage ceremony. Thus, Bill 221-38 (COR) seeks to define and recognize common law marriage on Guam, while preserving legal safeguards to prevent fraud or abuse. It provides for a judicial declaration process and aligns with cultural practices of commitment and shared responsibilities. Additionally, it recognizes that the prohibition of fraudulent claims under common-law marriage shall constitute as a misdemeanor, punishable up to one (1) year of imprisonment and a fine not to exceed $1,000.00.

According to the comments received from the Unified Judiciary of Guam on Bill 221-38 (COR), the Judiciary notes that the bill has been reviewed, which will authorize parties to petition the Superior Court for a judicial declaration of common law marriage. While the fiscal impact will depend on how many petitions are ultimately filed, creating a new cause of action would require a corresponding filing fee, the development of new administrative workflows, and may lead to an increase in filings related to domestic matters. Absent further information on expected filing volume, an exact fiscal impact cannot be determined at this time.

If enacted the Bureau lacks the sufficient information to estimate the amount of revenues that will be generated through the fees imposed. However, the Bureau is of the opinion that there will be a potential impact on the Government of Guam relative to tax revenues generated, increased benefits cost, and other related factors. Additionally, there will be a potential impact to the Department of Corrections relative to the incarceration specific cost, such as cost for meals, healthcare, clothing, rehabilitative services and other associated costs and service for imprisonment.