

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) As amended on the Floor.	William A. Parkinson	AN ACT TO <i>ADD</i> 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.	2/10/25	Committee on Economic Investment, Military Buildup, Regional Relations, Technology, Regulatory Affairs, Justice, Elections, and Retirement.	Request: 2/10/25 2/28/25	3/17/25 9:00 a.m.	4/8/25	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	7/28/25	AN ACT TO <i>ADD</i> A NEW CHAPTER 95, TO TITLE 9, 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".	7/31/25	8/6/25	8/18/25	38-40	8/18/25	Received: 8/18/25 Mess and Comm. Doc. No. 38GL-25-1051	

LOURDES A. LEON GUERRERO
GOVERNOR



UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

JOSHUA F. TENORIO
LT. GOVERNOR

38GL-25-1051
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

Transmitted via Email to: speakerblas@guamlegislature.org

August 18, 2025

AUG 18 2025

Time: 4:30 pm
Received: [Signature]

THE HON. FRANK BLAS, JR., Speaker
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 45-38 (COR), "AN ACT TO ADD A NEW CHAPTER 95, TO TITLE 9, 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'."

Håfa Adai Mr. Speaker,

I support holding accountable those responsible for the death of a caregiver to minor children, and ensuring that the children left behind have the financial resources they need as they grow. I understand the intent to focus on impaired drivers in cases of vehicular homicide, as we all recognize the serious dangers posed by impaired driving. However, I do not understand why this enhanced restitution is provided only when the driver was impaired, but not when a driver, through speeding, inattention, or other negligent acts, takes a life. The children of a victim killed by a non-impaired driver face the same hardships, losses, and long-term needs as those whose parents were killed by an impaired driver. I urge the Legislature to consider expanding this requirement to cover all forms of vehicular homicide, so that every child in these tragic circumstances receives the same measure of support.

I believe this bill is a good starting point in the discussion of the responsibility someone who takes a care giver away from a child has to the child and the child's future.

For these reasons, I sign Bill No. 45-38 (COR) into law as **Public Law No. 38-40**.

Senseraamente

JOSHUA F. TENORIO
I Åkto Maga'låhen Guåhan
Acting Governor of Guam



38GL-25-1051
Messages and Communications

RECEIVED
COMMITTEE ON RULES
August 18, 2025

6:10 p.m.
Marie Crisostomo

Enclosure(s): Bill No. 45-38 (COR) nka P.L. 38-40
cc via email: *Honorable* Lourdes A. Leon Guerrero, *Maga'hågan Guåhan*, Governor of Guam
Compiler of Laws

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

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

This is to certify that **Bill No. 45-38 (COR)**, "AN ACT TO *ADD* A NEW CHAPTER 95, TO TITLE 9, 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'," was on the 31st day of July 2025, duly and regularly passed.



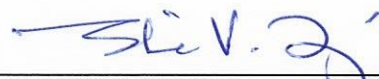
Frank F. Blas, Jr.
Speaker

Attested:



V. Anthony Ada
Acting Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 6th day of August, 2025, at 7:58 o'clock A.M.



Assistant Staff Officer
Maga'håga's Office

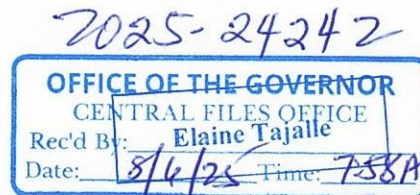
APPROVED:



JOSHUA F. TENORIO
ACTING GOVERNOR OF GUAM

Date: August 18, 2025

Public Law No. 38-40



Bill No. 45-38 (COR)

As amended on the Floor.

Introduced by:

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

AN ACT TO *ADD* A NEW CHAPTER 95, TO TITLE 9, 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”.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1.** A new Chapter 95 is hereby *added* to Title 9, Guam Code
3 Annotated, to read:

4 "CHAPTER 95

1 **BENTLEY'S LAW**

2 **§ 95101. Short Title.** This Act shall be known as "Bentley's Law".

3 **§ 95102. Definitions. As used in this Chapter:**

4 (a) 'Child/Children' means the biological child, step-child, or foster
5 child of whom a surviving parent, guardian, or Child Protective Services as
6 defined in § 13101(g), Chapter 13, Title 19, Guam Code Annotated, under this
7 Act, has legal custody.

8 **§ 95103. Vehicular Homicide While Driving Impaired: Restitution**

9 (a) Any person who is convicted of vehicular homicide while
10 driving impaired, as defined in § 92111(a), Chapter 92 of Title 9 Guam Code
11 Annotated, shall be required to pay restitution in the form of monetary support
12 for the victim's surviving minor children, if any, until each child reaches the
13 age of eighteen, or until the age of twenty-three for any child who enrolls full-
14 time in a college, university, vocational school, or trade school, in an amount
15 to be determined by the court and to be paid to the person responsible for
16 raising the children. The court shall determine an amount for restitution under
17 this Chapter that is reasonable and necessary to support the child, considering
18 all relevant factors including:

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

20 (2) The financial needs and the resources of the surviving
21 parent or guardian, including Child Protective Services if they have
22 assumed foster custody of the child.

23 (3) The physical and emotional well-being of the child and the
24 child's educational needs.

25 (4) The child's physical and legal custody arrangements; and

26 (5) The reasonable work-related childcare expenses of the
27 surviving parent or guardian, if applicable.

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

6 (1) A restitution order issued under this article may be
7 enforced by the court, or by a surviving parent or guardian of the person
8 named in order to receive the restitution in the same manner as a
9 judgement in a civil action.

10 (2) The defendant ordered to pay restitution under this
11 Chapter shall enter into a payment plan to address any unpaid
12 obligations. If a defendant's restitution payments are set to terminate
13 but the obligation is not paid in full, the restitution payments shall
14 continue until the entire obligation is paid.

15 (3) If the surviving parent or guardian of the child brings a
16 civil action against the defendant prior to the court ordering restitution
17 payments and the surviving parent or guardian obtains a judgment in
18 the civil suit in which compensatory damages are awarded, no
19 restitution shall be ordered under this Chapter.

20 (4) If the court orders the defendant to make restitution
21 payments under this Chapter and the surviving parent or guardian
22 subsequently brings a civil action against the defendant and obtains a
23 judgment, the restitution payments shall be offset by the amount of the
24 judgment awarded in the civil action."

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

1 **Section 3. Severability.** If any provision of this Act or its application to any

2 person or circumstance is found to be invalid or inorganic, such invalidity shall not

3 affect other provisions or applications of this Act that can be given effect without

4 the invalid provision or application, and to this end the provisions of this Act is

5 severable.