

*I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN*

2015 (FIRST) Regular Session

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PANEL

Bill No. 91-33 (LS)

Introduced by:

M.C. Torres *MCT*

**AN ACT TO AMEND §70115, §70116 AND §70117 OF  
CHAPTER 70 TITLE 11 GUAM CODE ANNOTATED  
RELATIVE TO THE ISSUANCE OF BUSINESS LICENSES.**

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

**Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the current system for issuing and renewing business license on Guam creates a major inconvenience to business owners and employees of the Department of Revenue and Taxation.

It is, therefore, the intent of *I Liheslaturan Guåhan* to to amend current law to allow the Department of Revenue and Taxation to renew these licenses on an annual basis.

**Section 2.** Chapter 70 of Title 11 Guam Code Annotated §70115 is hereby *amended* to read as follows:

**“§70115. Term of License.** All licenses and endorsements applicable thereto shall be issued on a ~~fiscal year basis (July 1 to June 30)~~ an annual basis and,

1 regardless of when issued, shall expire ~~on the thirtieth (30<sup>th</sup>) day of June of the~~  
2 ~~year~~ one (1) year after for which issued or renewed.”

3 **Section 3.** Chapter 70 of Title 11 Guam Code Annotated §70116 is hereby  
4 *amended* to read as follows:

5 **“§ 70116. Apportionment of Fees.** All original license fees shall be prorated  
6 ~~and one-fourth (3) of the annual fee charged for each quarter or portion of a quarter~~  
7 ~~remaining in the fiscal year from the date of issuance.~~ charged on an annual basis,  
8 commencing at the date of issuance or renewal and ending the day before the  
9 following year. The existing fee structure for business license shall remain intact and  
10 in effect.”

11 **Section 4.** Chapter 70 of Title 11 Guam Code Annotated §70117 is hereby  
12 *amended* to read as follows:

13 **“§70117. Renewal.** A licensee may renew his license at the expiration thereof  
14 by the payment of the annual license fee and by filing with the renewal application  
15 an affidavit oath and subject to the penalties of perjury that he has continued to  
16 comply with all of the prerequisites and qualifications provided by law, rules and  
17 regulations which were certified by the proper departments of the government of  
18 Guam in the application for his original license. The renewing licensee shall not be  
19 required to obtain the approval of the Government of Guam or any department or  
20 agency thereof regarding the application of the Zoning Law of the Territory of Guam  
21 to the licensee’s business premises provided that the licensed business is located  
22 upon the identical premises upon which it was located on the date of the issuance of  
23 the previous license.

24 A licensee who fails to renew his license on or before ~~the thirtieth (30<sup>th</sup>) day~~  
25 ~~of June of each year~~ one (1) year or twelve (12) months after it was issued shall be  
26 assessed a penalty of one dollar (\$1.00) per each calendar day he is delinquent, which

1 penalty shall become part of the renewal fee. Any licensee who fails to renew his  
2 license on or before ~~the thirty first (31st) day of July~~ the thirty (30) days after the  
3 license should have been renewed shall be required to discontinue his business until  
4 he renews the license or be subject to an injunction issued by the Superior Court and  
5 to prosecution under § 70119. Such failure to renew while continuing the operation  
6 of the business shall constitute refusal and failure to obtain a license under the  
7 provisions of this Division.

8       **Section 5. Effective Date.** These changes to the term of business licenses  
9 shall be made effective the first day of the month following its Enactment.

10       **Section 6. Severability.** If any provision of this Act or its application to  
11 any person or circumstance is found to be invalid or contrary to law, such invalidity  
12 shall not affect other provisions or applications of this Act which can be given effect  
13 without the invalid provisions or application, and to this end the provisions of this  
14 Act are severable.