

**I MINA' TRENTA NA LIHESLATURAN GUAHAN  
2009 (FIRST) Regular Session**

**Bill No. 19 (LS)  
Introduced by:**

**R.J. RESPICIO**  
**J.P. GUTHERTZ**  
**B.J.F. CRUZ**

2009 JAN - 5 AM 11: 00

**AN ACT TO AMEND TITLE 11 GUAM CODE  
ANNOTATED, CHAPTER 24, RELATIVE TO FREEZING  
BASIC PROPERTY TAX LEVELS AT THEIR CURRENT  
RATE, AND TO ADDING A PROPERTY TAX LEVY ON  
THE FUTURE SALE OF LAND.**

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

**Section 1. Legislative Findings and Intent.** *I Mina' Trenta Na*

*Liheslaturan Guahan* finds that the cost of virtually every consumer need, including such essentials as health care, food, utilities, transportation and shelter, has been rising at a faster pace than incomes. An increase in property tax rates could have a harmful effect on many of Guam's people, especially those living on fixed incomes, the elderly, the infirm, and those whose pensions or stipends may not be able to absorb even a small increase in taxes. *I Liheslatura* additionally finds that the limited number of parcels of land in Guam available for sale creates a climate that encourages the rapid turnover of property ownership, providing an alternative method to increasing revenues instead of increasing the tax burden of those who are least able to pay.

1           It is therefore the intent of *I Liheslatura* to allow the current tax rate  
2 for property to remain in place so that those who currently own their  
3 residence can be assured that the tax rate on their land will not rise during  
4 their lifetime so long as it remains in their hands. This may also serve to  
5 encourage individual land owners to retain and lease their property rather  
6 than sell their birthright.

7           It is additionally the intent of *I Liheslatura* to increase the tax levy only  
8 on those parcels of land that are sold on or after July 1, 2009.

9           **Section 2. Title 11 Guam Code Annotated, Chapter 24, Article 1, §**  
10 **24103 is amended to read:**

11           “§ 24103 **(a). Levy.** There is hereby levied on all land property  
12 in Guam a yearly tax at the rate of one-quarter percent (1/4%) of the  
13 value thereof and one percent (1%) of the value of the improvements  
14 thereon.

15           **(b). Effective on July 1, 2009 and thereafter, until the property is**  
16 **sold, the yearly tax amount levied on all land property in Guam shall**  
17 **be the yearly tax amount levy on land property in place on December**  
18 **31, 2008 and one percent (1%) of the value of the improvements**  
19 **thereon.**

20           **(c). Effective on July 1, 2009 and thereafter, upon each sale of**  
21 **any land property in Guam, there is hereby levied a yearly tax at the**

1 rate of:

2 i. The greater of either one percent (1%) of the total sale price  
3 of the property, or one percent (1%) of the aggregate tax  
4 valuation of the property based on the last completed valuation  
5 conducted pursuant to 11 GCA § 24306, as supplemented by  
6 the annual adjustments provided for in 11 GCA § 24307; and

7 ii. One percent (1%) of the value of the improvements thereon.

8 **(d).** Such tax shall be assessed and collected in the manner  
9 prescribed in this Chapter. All proceeds derived by the government  
10 under any provision of this Chapter shall be deposited in the  
11 Treasury of Guam to the credit of the general fund.”

12 **Section 3. Title 11 Guam Code Annotated, Chapter 24, Article 3 §**  
13 **24306 and § 24307 are hereby repealed.**

14 **Section 4. Title 11 Guam Code Annotated, Chapter 24, Article 1, §**  
15 **24110 is amended to read:**

16 **“§ 24110. Reduced Tax Rates of Senior Citizens.**

17 A senior citizen, who is defined for purposes of this Title as a person  
18 fifty-five (55) years of age or older, who is the head of a household  
19 and who currently resides in and owns his or her home, and has  
20 lived on Guam for five (5) preceding consecutive years shall pay a  
21 real property tax on such personal residential property at twenty

1 percent (20%) of the yearly real estate tax [~~based on the latest~~  
2 ~~triennial tax assessment levied on such property owned by the~~  
3 ~~respective senior citizen~~], provided such property is his or her place  
4 of primary residence.”

5 **Section 5. Title 11 Guam Code Annotated, Chapter 24, Article 1, §**  
6 **24112 (a) is amended to read:**

7 **“§ 24112. Reduced Tax for U.S. Citizens with Disabilities and**  
8 **Heads of Households with Dependents with Disabilities.**

9 (a) A U.S. Citizen with disabilities or head of household with  
10 dependents with disabilities, who is defined for purposes of this Title  
11 as a U.S. Citizen aged eighteen (18) years or over who has lived on  
12 Guam for the preceding five (5) consecutive years and who currently  
13 resides in his or her own home, and meets the definition of  
14 permanent disability as established by the Department of Integrated  
15 Services for Individuals with Disabilities (‘DISID’), shall pay a real  
16 property tax on such personal or family residential property at  
17 twenty percent (20%) of the yearly real estate tax [~~based on the latest~~  
18 ~~triennial tax assessment~~] levied on such property owned by the  
19 respective U.S. Citizen, and which is his or her primary residence.”