

MINA' BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 5 (UG)

Introduced by:

L.F. Kasperbauer *LK*

**AN ACT TO ADD A NEW §4203.3 TO TITLE 4 AND §5253 TO
TITLE 5 OF THE GUAM CODE ANNOTATED RELATIVE TO
PROHIBITING CONVICTED SEX OFFENDERS FROM
BEING EMPLOYED IN THE GOVERNMENT OF GUAM OR
FOR GOVERNMENT CONTRACTORS IN AREAS
FREQUENTED BY CHILDREN.**

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

2 **Section 1.** Section 4203.3 is hereby *added* to Title 4, Guam Code
3 Annotated to read:

4 **“§4203.3. Prohibition: Sex Offenders Prohibited from Employment in the**
5 **Guam Public School System or other agencies and facilities of the**
6 **Government of Guam frequented by children.** (a) Notwithstanding any other
7 provision of Public Law or Personnel Rules and Regulations, no person convicted
8 of a sex offense under the provisions of Chapter 25 of Title 9, Guam Code
9 Annotated, or a sex offense or a crime of moral turpitude in Guam, in another state
10 or subdivision of the United States or a foreign country; may work on the campus
11 of any public school, on the campuses of the Guam Community College or the
12 University of Guam, as a bus driver, in any public library, the Department of
13 Youth Affairs, at the Guam Memorial Hospital, at the Medical Services and the
14 Child Protection Services divisions of the Department of Public Health and Social
15 Services, at the Department of Integrated Services for Persons with Disabilities

1 (DISID), at the Department of Mental Health and Substance Abuse, or in areas
2 frequented by children under the jurisdiction of the Department of Parks and
3 Recreation including but not limited to the Hagåtña Pool.”
4

5 **Section 2.** Section 5253 is hereby *added* to Title 5, Guam Code Annotated to
6 read:

7 **§5253. Restriction against contractors employing convicted sex offenders**
8 **from working at certain Government of Guam Venues.** (a) Notwithstanding
9 any other provision of Public Law no person convicted of a sex offense under the
10 provisions of Chapter 25 of Title 9, Guam Code Annotated, or a sex offense or a
11 crime of moral turpitude in Guam, in another state or subdivision of the United
12 States or a foreign country; who is employed by a business contracted to perform
13 services for agency or instrumentality of the government of Guam, may work on
14 the campus of any public school, on the campuses of the Guam Community
15 College or the University of Guam, as a bus driver, in any public library, the
16 Department of Youth Affairs, at the Guam Memorial Hospital, at the Medical
17 Services and the Child Protection Services divisions of the Department of Public
18 Health and Social Services, at the Department of Integrated Services for Persons
19 with Disabilities (DISID), at the Department of Mental Health and Substance
20 Abuse, or in areas frequented by children under the jurisdiction of an agency of
21 the Government of Guam including but not limited to the Hagåtña Pool.

22 (b) All contracts for services to agencies listed her in shall include (1)
23 warranties that no person, providing services on behalf of the contractor, has been
24 convicted of a sex offense or crime of moral turpitude as described herein, (2) in
25 the event that any person providing services on behalf of the the contractor is
26 convicted of a sex offense or crime of moral turpitude as described herein, that

1 such person be immediately removed from working at said agency and that the
2 administrator of said agency be informed of such within twenty-four (24) hours of
3 such conviction and (3) in the event that any person providing services on behalf
4 of the the contractor is arrested for a sex offense or crime of moral turpitude as
5 described herein, that such person will not be allowed to work at such agency until
6 such time the person is found "Not Guilty" of such crime or such charges are
7 dismissed with prejudice.