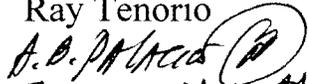


I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2007 (FIRST) Regular Session

Bill No. 187(EC)

Introduced by:


Ray Tenorio

A.D. Palma

F. Ishizaki

**AN ACT TO AMEND ITEM (e) OF §43.20 OF CHAPTER 43,
9GCA RELATIVE TO VALUATION OF LOSS AS IT RELATES
TO THE DEGREE OF CRIMINALITY FOR THEFT RELATED
OFFENSES.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Item (e) of Section 43.20 of 9GCA is hereby *amended* to read:

(e) The amount involved in a theft shall be the fair market value of the property or services which the defendant stole or attempted to steal. Whether or not they have been issued or delivered, written instruments not having a readily ascertained market value shall be evaluated as follows:

(1) The value of an instrument constituting an evidence of a debt, such as a check, draft or promissory note, shall be the amount due or collectible thereon or thereby, that figure ordinarily being the face amount of the indebtedness less any portion thereof which has been satisfied.

(2) The value of any other instrument that creates, releases, discharges or otherwise affects any valuable legal right, privilege or obligation shall be deemed the greatest amount of economic loss which the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.

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1 (3) In the case of theft of currency or tangible property, the Fair
2 Market Value shall be the greater of the replacement cost or numismatic
3 value of the item(s) stolen PLUS (a) The cost of repairs or restoration for
4 damage resulting from attempts or the means to gain access to a building or
5 vehicle or other storage structure to commit the theft, (b) The cost of repairs
6 or restoration for damage resulting from Acts of God as a result of damage
7 from attempts or the means to gain access to a building or vehicle or other
8 storage structure to commit the theft, (c) The cost of repairs for damage
9 resulting destruction or conversion of any property from the commission of
10 the theft (d) the value attributed to the loss of use of the items stolen or
11 property damaged as a result of the theft and (e) The cost of medical bills,
12 loss of wages and pain and suffering for any person physically injured as a
13 result of the theft.