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

Bill No.	1	8	9	EC	ر پ
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Introduced by:

Ray Tenorio

J.T. Won Pat

A. B. D. J. A. J. C. C.

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AN ACT TO AMEND §61.30 OF CHAPTER 61, TITLE 9, GUAM CODE ANNOTATED RELATIVE TO LOITERING IN OR AROUND SCHOOL BUS STOPS.

## BE IT ENACTED BY THE PEOPLE OF GUAM:

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Section 1. Section 61.30 of 9GCA: Chapter 61 is hereby amended

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## §61.30. Loitering or Prowling; Defined & Punished; Defenses.

7 (a) A person commits a violation if he loiters or prowls in a place, at a time, or in a

manner not usual for law-abiding individuals under circumstances that warrant

alarm for the safety of persons or property in the vicinity. Among the

circumstances which may be considered in determining whether such alarm is

warranted is the fact that the person takes flight upon appearance of a peace

officer, refuses to identify himself, or manifestly endeavors to conceal himself or

any object.

A person commits a violation if he loiters or prowls in or in close proximity

to a school bus stop, at a time, or in a manner not usual for law-abiding individuals

- 1 under circumstances that warrant alarm for the safety of persons or property in the
- 2 <u>vicinity.</u>
- 3 (b) Unless flight by the person or other circumstances makes it impracticable, a
- 4 peace officer shall prior to any arrest for an offense under this Section afford the
- 5 person an opportunity to dispel any alarm which would otherwise be warranted, by
- 6 requesting him to identify himself and explain his presence and conduct.
- 7 (c) No person shall be convicted of an offense under this Section if the peace
- 8 officer did not comply with Subsection (b) or if it appears at trial that the
- 9 explanation given by the person was true and, if believed by the peace officer at
- 10 the time, would have dispelled the alarm.