


I MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 101-31(COR)

Introduced by:

V. Anthony Ada 

R. J. Respicio 

A. B. Palacios, Sr 

AN ACT TO ADD NEW ITEMS (y) AND (z) TO §89.01, ITEM (i) TO §89.03, AND ITEMS (g), (h), (i) §89.05 ALL OF CHAPTER 89 OF 9GCA RELATIVE TO LIMITING ACCESS AND REGULATING THE USE OF SOCIAL NETWORKING WEB SITES, INSTANT MESSAGING AND CHAT ROOMS BY REGISTERED SEX OFFENDERS.

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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. New Items (y) and (z) are *added* to Section 89.01 of Chapter 89 of 9GCA, as repealed and re-enacted by Public Law 30-223, to read as follows:

(y) "Instant messaging or chat room" means a program that requires a person to register or create an account, a user name, or a password to become a member or registered user of the program and allows members or authorized users to communicate over the Internet in real time using typed text or voice, including programs associated with online games, and other online communities. The term does not include an electronic mail (e-mail) or message board program.

(z) "Social networking Web site" means an Internet Web site that has a primary purpose of facilitating social interaction between two or more persons for the purposes of friendship, meeting other persons, or information exchanges, and allows users to create Web pages or profiles that provide information about themselves and are

1 available publicly or to other users and that offers a mechanism for communication with
2 other users, such as a forum, chat room, electronic mail, or instant messaging.

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5 **Section 2.** A new Item (i) is *added* to Section 89.03 of Chapter 89 of 9GCA, as
6 repealed and re-enacted by Public Law 30-223, to read as follows:

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8 (i) Persons required to register under this section shall not access, or create or maintain
9 a personal Web page, profile, account, or user name for: a social networking Web site;
10 or an instant messaging or chat room program, that permits persons under the age of
11 eighteen (18) to become a member or to create or maintain a personal Web page unless
12 the such a social networking web site or an instant messaging or chat room limit the
13 ability of adult members to add children under the age of eighteen (18) as friends,
14 buddies or associates. All computers or devices capable of accessing the internet that
15 are on the registrant's person, vehicle or home are subject to unannounced searches by
16 law enforcement personnel acting within the scope of their duties while performing a
17 lawful investigation.

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19 **Section 3.** New Items (g), (h), (i) are *added* to Section 89.05 of Chapter 89 of 9GCA,
20 as repealed and re-enacted by Public Law 30-223, to read as follows:

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22 (g) A person who violates §89.03(k) of this Chapter commits a misdemeanor.

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24 (h) Any person who violates §89.03(k) of this Chapter and intentionally adds person(s)
25 under the age of eighteen (18) as friends, buddies or associates commits a third degree
26 felony.

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1 (i) Any person who misrepresents his or her age and/or uses a pseudonym to gain
2 membership in a social networking web site or an instant messaging or chat room
3 accessible to persons who are under eighteen (18) years of age and/or to add as friends,
4 buddies or associates who are under eighteen (18) years of age commits a third degree
5 felony.