
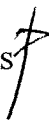


MINA' TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

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Bill No. 349-31(COR)

Introduced by:

B.J.F. Cruz 
T. R Muña Barnes 

**AN ACT ADD A NEW (F) TO §70131 OF CHAPTER 70
OF TITLE 11 GUAM CODE ANNOTATED RELATIVE
TO PUBLICLY DISPLAYING CURRENT BUSINESS
LICENSE AT ALL TIMES**

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

2 **Section 1.** A new (f) is hereby *added* to § 70131 Chapter 70 of Title
3 11 Guam Code Annotated to read as follows:

4 **“§ 70131. Consequences of Engaging in, Transacting, Conducting,**
5 **Continuing, Doing, or Carrying on a Business Without Business**
6 **License or Certificate of Authority.** (a) Any person engaging in,
7 transacting, conducting, continuing, doing, or carrying on a business
8 within Guam which is otherwise required by law to have a current
9 business license and, as may be required by all applicable laws of
10 Guam, a certificate of authority from the Director of the Department
11 of Revenue and Taxation, or other applicable regulating agency or
12 board, but does not have one, shall be closed promptly by the
13 Department of Revenue and Taxation, after a hearing pursuant to the
14 Administrative Adjudication Law, until all required returns are filed
15 and all taxes paid or arrangements are made to pay them. All assets of

1 the person or corporation shall be frozen after such hearing until all
2 required tax returns are submitted to the Department of Revenue
3 and Taxation, all taxes are paid, or payment arrangements are made,
4 and a valid business license is obtained.

5 (b) Any person engaging in, transacting, conducting,
6 continuing, doing, or carrying on a business on Guam without a
7 business license and, as may be required by all applicable laws of
8 Guam, a certificate of authority from the Director of the Department
9 of Revenue and Taxation, or other applicable regulating agency or
10 board, may not maintain a proceeding in any Court on Guam until it
11 obtains a business license and, as may be required by all applicable
12 laws of Guam, a certificate of authority to transact business on Guam.

13 (c) The successor to any person who transacted, engaged in,
14 conducted, continued, carried on, or done business on Guam without a
15 business license and, as may be required by all applicable laws of
16 Guam, a certificate of authority from the Director of the Department
17 of Revenue and Taxation, or other applicable regulating agency or
18 board, and the assignee of a cause of action arising out of that
19 business may not maintain a proceeding based upon that cause of
20 action in any Court on Guam until the person or that person's
21 successor obtains a business license and, as may be required by all
22 applicable laws of Guam, a certificate of authority from the Director
23 of the Department of Revenue and Taxation, or other applicable
24 regulating agency or board.

25 (d) A Court may stay a proceeding commenced by a person, its
26 successor, or assignee until it determines whether the person, or that
27 person's successor, or assignee requires a business license, and, as

1 may be required by all applicable laws of Guam, a certificate of
2 authority from the Director of the Department of Revenue and
3 Taxation, or other applicable regulating agency or board. If it so
4 determines, the Court may further stay the proceeding until the
5 person, or that person's successor, or assignee obtains the business
6 license, and, as may be required by all applicable laws of Guam, or
7 other applicable regulating agency or board, a certificate of authority
8 from the Director of the Department of Revenue and Taxation, or
9 other applicable regulating agency or board.

10 (e) Notwithstanding the provisions of this Section, the failure of
11 a person to obtain a business license, and, as may be required by all
12 applicable laws of Guam, a certificate of authority from the Director
13 of the Department of Revenue and Taxation, or other applicable
14 regulating agency or board, does not impair the validity of its
15 corporate acts or prevent it from defending any proceeding in Guam..

16 (f) Business license shall be displayed prominently on a wall
17 within 50 feet of the main entrance of a business establishment; any
18 business owner who has no regular place of business shall produce
19 such license upon request. Any licensee who violates this Section
20 shall be fined Five Hundred Dollars (\$500.00) for the first violation,
21 One Thousand Dollars (\$1000.00) for the second violation, and
22 closure by the Department of Revenue and Taxation for any violation
23 thereafter until such license is displayed in a manner compliant with
24 this section."