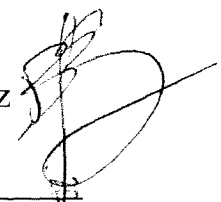


I MINA' TRENTA I UNU NA LIHESLATURAN GUÅHAN
2011 (First) Regular Session

Bill No. 368-31(LS)

Introduced by:

B.J.F. Cruz



**AN ACT TO ADD A NEW § 3123 TO ARTICLE 1 AND TO ADD
A NEW § 3436 AND § 3437 TO ARTICLE 4 OF CHAPTER 3 OF
TITLE 11 GUAM CODE ANNOTATED RELATIVE TO
INTOXICATION OF PERSONS UNDER AGE TWENTY-ONE.**

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BE IT ENACTED BY THE PEOPLE OF GUAM

Section 1. A new § 3123 is hereby *added* to Article 1 of Chapter 3 of Title 11 Guam Code Annotated to read:

“§ 3123. Furnish.

Furnish means to knowingly or intentionally supply, give, or provide to or allow a person under twenty-one (21) years of age.”

Section 2. A new § 3436 is hereby *added* to Article 4 of Chapter 3 of Title 11 Guam Code Annotated to read:

“§ 3436. Intoxication of Persons Under Age Twenty-One.

Any person twenty-one years or older who:

(1) Sells, furnishes, or provides alcoholic beverages to a person under the age of twenty-one (21) years; or

(2) Owns, occupies, or controls premises on which alcoholic beverages are consumed by any person under twenty-one (21) years of age, and who knows of

1 alcohol consumption by persons under twenty-one (21) years of age on such
2 premises, and who reasonably could have prohibited or prevented such alcohol
3 consumption;

4 (a) shall be punished by a fine of not more than \$2,000 or by
5 imprisonment for not more than one year or both.

6 (b) shall be liable for all injuries or damages caused by the intoxicated
7 person under twenty-one (21) years of age.

8 (c) An intoxicated person under the age of twenty-one (21) years who
9 causes an injury or damage shall have no right of action under this part.

10 (d) This section shall not apply to sales licensed under § 3419.”

11 **Section 3.** A new § 3437 is hereby *added* to Article 4 of Chapter 3 of Title
12 11 Guam Code Annotated to read:

13 **“§ 3437. Subrogation claims denied.**

14 There shall be no recovery for any subrogation claim pursuant to any
15 subrogation clause of an uninsured, underinsured, collision, or other first-party
16 coverage as a result of payments made to persons who have claims that arise in
17 whole or in part under § 3436.”