

EDDIE BAZA CALVO  
Governor



RAY TENORIO  
Lieutenant Governor

*Office of the Governor of Guam*

FEB 13 2014

Honorable Judith T. Won Pat, Ed.D.  
Speaker  
*I Mina' trentai Dos Na Liheslaturan Guåhan*  
155 Hesler Street  
Hagåtña, Guam 96910

32-14-1289  
Office of the speaker  
Judith T. Won Pat, Ed. D.  
Date 2/14/14  
Time 3:48 PM  
Received by [Signature]

Dear Madame Speaker:

Transmitted herewith is Bill No. 70-32 (COR) "AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES" which I signed into law on February 10, 2014 as Public Law 32-108.

*Senseramente,*

  
EDDIE BAZA CALVO

2014 FEB 14 PM 4:48

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN*  
2014 (SECOND) Regular Session

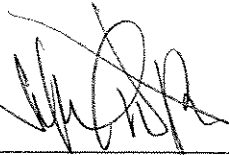
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 70-32 (COR)**, "AN ACT TO ADD A NEW ARTICLE 8 TO CHAPTER 32 OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO GIFT CARDS AND GIFT CERTIFICATES," was on the 1<sup>st</sup> day of February, 2014, duly and regularly passed.



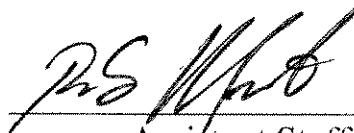
Judith T. Won Pat, Ed.D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 1<sup>st</sup> day of FEB,  
2014, at  
10:50 o'clock P. M.



Assistant Staff Officer  
*Maga'lahaen's Office*

APPROVED:



EDWARD J.B. CALVO  
*I Maga'lahaen Guåhan*

Date: FEB 10 2014

Public Law No. 32-108

*I MINA'TRENTAI DOS NA LIHESLATURAN GUÁHAN*  
2013 (FIRST) Regular Session

**Bill No. 70-32 (COR)**

As amended on the Floor.

Introduced by:

V. Anthony Ada  
T. C. Ada  
FRANK B. AGUON, JR.  
B. J.F. Cruz  
Chris M. Dueñas  
Michael T. Limtiaco  
Brant T. McCreadie  
Tommy Morrison  
T. R. Muña Barnes  
Vicente (ben) C. Pangelinan  
R. J. Respicio  
Dennis G. Rodriguez, Jr.  
Michael F.Q. San Nicolas  
Aline A. Yamashita, Ph.D.  
Judith T. Won Pat, Ed.D.

**AN ACT TO *ADD* A NEW ARTICLE 8 TO CHAPTER 32  
OF TITLE 5, GUAM CODE ANNOTATED, RELATIVE  
TO GIFT CARDS AND GIFT CERTIFICATES.**

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

2       **Section 1.** A new Article 8 is *added* to Chapter 32 of Title 5, Guam Code  
3 Annoteted, to read as follows:

**“ARTICLE 8**

**GIFT CARDS AND GIFT CERTIFICATES**

6       **§32801. Applicability of Federal Law.** Title IV of the *Credit Card*  
7 *Accountability Responsibility and Disclosure Act of 2009*, as enacted by Public  
8 Law 111-24, and as further amended, is applicable to gift certificates and gift

1 cards sold by merchants doing business on Guam. Such federal law is in addition  
2 to the provisions of law enacted by this Article.

3 **§32802. Applicability of Federal Regulations.** §205 of Title 12 of the  
4 Code of Federal Regulations (12 CFR 205) is applicable to gift certificates and gift  
5 cards sold by merchants doing business on Guam.

6 **§32803. Definitions.**

7 (a) *Gift card/ gift certificate/ store gift card* are defined by 12 CFR  
8 205.

9 (b) *Paper gift card/ gift certificate/ store gift card* means any gift  
10 card/gift certificate/ store gift card, or similar instrument, that is issued in  
11 printed form *only*, and issued in exchange for monetary consideration when  
12 the certificate, card, or similar instrument is redeemable for merchandise,  
13 food, or services regardless of whether any cash may be paid to the owner of  
14 the certificate, card, or instrument as part of the redemption transaction.

15 (c) *Electronic gift card/ gift certificate/ store gift card* are defined  
16 by 12 CFR 205.

17 **§32803. Provisions Relating to Paper Gift Cards/ Gift Certificates/  
18 Store Gift Cards.** A paper gift card/ gift certificate/ store gift card *shall* be valid  
19 for a period of *not less than* five (5) years following the date of issue. Any paper  
20 gift card/ gift certificate/ store gift card without a date of issue or where the date of  
21 issue is *not* clearly marked *shall not* have an expiration date.

22 **§32804. Provisions Relating to Electronic Gift Cards/ Gift  
23 Certificates/ Store Gift Cards.** An electronic gift card/ gift certificate/ store gift  
24 card *shall not* have an expiration date if the buyer of the electronic gift card *does*  
25 *not* receive a printed sales receipt with both the issuance date and expiration date  
26 clearly marked on it *or*, the buyer or holder of the electronic gift card *does not* have

1 both the issuance date and the expiration date available through an internet site *or*  
2 through a toll-free information telephone line.

3       **§32805. Telephone Cards Exempted.** This Article *shall not* apply to  
4 prepaid telephone or mobile commercial radio service as provided for by the  
5 *Credit Card Accountability Responsibility and Disclosure Act of 2009, as*  
6 *amended.*

7       **§32806. Severability.** *If* any provision of this Act or its application to  
8 any person or circumstance is found to be invalid or contrary to law, such  
9 invalidity *shall not* affect other provisions or application of this Act which can be  
10 given effect without the invalid provisions or application, and to this end the  
11 provisions of this Act are severable.

12       **§32807. Effective Date.** This Act *shall* be effective upon enactment.”