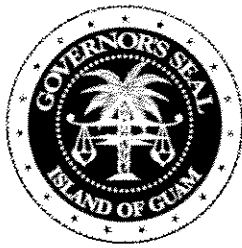


EDDIE BAZA CALVO
Governor



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

32-14-1297
Office of the Speaker
Judith T. Won Pat, Ed.D.
Date: 2/14/14
Time: 3:06 PM
Received by:

Dear Madame Speaker:

Transmitted herewith is Bill No. 202-32 (COR) "AN ACT TO ADD NEW §§ 37.50 TO 37.55 TO CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CARJACKING" which I signed into law on February 10, 2014 as Public Law 32-116.

Senseramente,

EDDIE BAZA CALVO

2014 FEB 14 PM 4:48



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

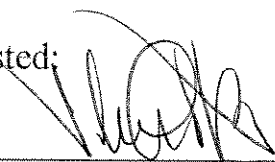
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 202-32 (COR)**, "AN ACT TO ADD NEW §§ 37.50 TO 37.55 TO CHAPTER 37 OF TITLE 9, GUAM CODE ANNOTATED, RELATIVE TO CARJACKING," was on the 1st day of February, 2014, duly and regularly passed.



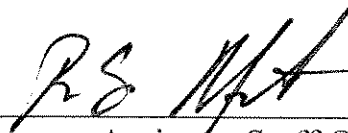
Judith T. Won Pat, Ed.D.
Speaker

Attested:



Tina Rose Muña Barnes
Legislative Secretary

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



Assistant Staff Officer
Maga'lahi's Office

APPROVED:



EDWARD J.B. CALVO
I Maga'lahaen Guåhan

Date: FEB 10 2014

Public Law No. 32-116

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

Bill No. 202-32 (COR)

Introduced by:

V. Anthony Ada
Chris M. Dueñas
T. C. Ada
FRANK B. AGUON, JR.
B. J.F. Cruz
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 NEW §§ 37.50 TO 37.55 TO CHAPTER
37 OF TITLE 9, GUAM CODE ANNOTATED,
RELATIVE TO CARJACKING.**

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

2 **Section 1.** New §§ 37.50 to 37.55 are *added* to Chapter 37 of Title 9,
3 Guam Code Annotated, to read:

4 **CARJACKING**

5 **§ 37.50. Carjacking.** A person is guilty of carjacking when such person
6 commits a crime of burglary, as defined by this Chapter, in a vehicle, while a
7 person other than a participant in the crime is actually present in such vehicle, with
8 intent to commit a crime therein, and, in the course of committing the offense: (1)

1 acting either alone or with one or more persons, such person or another participant
2 in the crime commits or attempts to commit a violent crime against the person of
3 another person other than a participant in the crime who is actually present in such
4 vehicle; or (2) if any of the acts of a participant at any time during the burglary, or
5 while attempting a burglary or while fleeing from a burglary/attempted burglary,
6 directly or indirectly, cause the mental or emotional trauma, bodily injury, serious
7 bodily injury or the death of an occupant of the vehicle who is *not* a participant in
8 the burglary.

9 **§ 37.51. Armed Carjacking.** Whoever commits the offense of
10 carjacking while armed with, or having readily available, any pistol, or other
11 firearm or imitation thereof, or other dangerous or deadly weapon, including a
12 firearm, dirk, knife, switchblade, razor, blackjack, billy, or metallic or other false
13 knuckles, or any object capable of inflicting death or serious bodily injury, *shall* be
14 guilty of armed carjacking.

15 **§ 37.52. In the Course of Committing Carjacking or Armed**
16 **Carjacking.** An act *shall* be deemed “in the course of committing” the offense *if*
17 it occurs in an attempt to commit the offense or flight after the attempt or
18 commission.

19 **§ 37.53. Knowledge of Occupancy is Not a Defense.** It is *no* defense
20 the defendant reasonably believed that the vehicle was unoccupied, by a person
21 who was *not* a participant in the crime, at the time the carjacking or armed
22 carjacking occurred.

23 **§ 37.54. Carjacking Punished.**

24 (a) Carjacking is a first degree felony and any person found guilty
25 under § 37.50 *shall* be sentenced to a term of imprisonment of which *at least*
26 ten (10) years *may not* be suspended or reduced by the court.

1 (b) The sentence imposed for carjacking *shall* run consecutively to
2 any sentence for other crimes committed in conjunction with the carjacking.

3 **§ 37.55. Armed Carjacking Punished.**

4 (a) Armed carjacking is a first degree felony and any person found
5 guilty under § 37.51 *shall* be sentenced to a term of imprisonment of which
6 *at least* fifteen (15) years *may not* be suspended or reduced by the court.

7 (b) The sentence imposed for armed carjacking *shall* run
8 consecutively to any sentence for other crimes committed in conjunction
9 with the carjacking.”