



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam

MAR 16 2016

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

Dear Madame Speaker:

Transmitted herewith is Bill No. 149-33 (COR) "AN ACT TO REPEAL AND REENACT § 90113 OF CHAPTER 90, TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO PARENTAL LIABILITY FOR WILLFUL ACTS OF MINOR CHILDREN," which I signed into law on March 4, 2016, as Public Law 33-126.

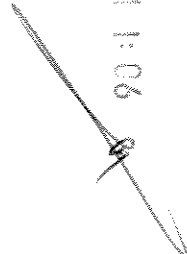
Senseramente,


EDDIE BAZA CALVO

33-16-1437
Office of the Speaker
Judith T. Won Pat, Ed.D

Date: 3/16/16
Time: 10:50 A.M.
Received By: CARL CRK

2016 MAR 16 PM 1:06



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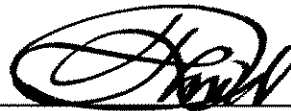
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I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2016 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LÅHEN GUÅHAN*

This is to certify that **Substitute Bill No. 149-33 (COR), "AN ACT TO REPEAL AND REENACT § 90113 OF CHAPTER 90, TITLE 18, GUAM CODE ANNOTATED, RELATIVE TO PARENTAL LIABILITY FOR WILLFUL ACTS OF MINOR CHILDREN,"** was on the 18th day of February 2016, 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'låhen Guåhan* this 22ND day of FEBRUARY,
2016, at 2:59 o'clock P.M.


Assistant Staff Officer
Maga'låhi's Office

APPROVED:


EDWARD J.B. CALVO
I Maga'låhen Guåhan

Date: MAR 04 2016

Public Law No. 33-126

I MINA'TRENTAI TRES NA LIHESLATURAN GUÅHAN
2015 (FIRST) Regular Session

Bill No. 149-33 (COR)

As substituted by the sponsor;
and amended on the Floor.

Introduced by:

V. Anthony Ada
Frank F. Blas, Jr.
T. C. Ada
James V. Espaldon
FRANK B. AGUON, JR.
B. J.F. Cruz
Brant T. McCreddie
Tommy Morrison
T. R. Muña Barnes
R. J. Respicio
Dennis G. Rodriguez, Jr.
Mary Camacho Torres
N. B. Underwood, Ph.D.
Judith T. Won Pat, Ed.D.

**AN ACT TO REPEAL AND REENACT § 90113 OF
CHAPTER 90, TITLE 18, GUAM CODE ANNOTATED,
RELATIVE TO PARENTAL LIABILITY FOR WILLFUL
ACTS OF MINOR CHILDREN.**

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

2 **Section 1.** § 90113 of Chapter 90, Title 18, Guam Code Annotated, is
3 *repealed* and *reenacted* to read:

4 **“§ 90113. Parental Liability for Willful Acts of Minor Children.**

5 (a) Any act of willful misconduct of a minor that results in injury
6 or death to another person or in any injury to the property of another *shall* be

1 imputed to the parent or guardian having custody and control of the minor
2 for all purposes of civil damages, and the parent or guardian having custody
3 and control *shall* be jointly and severally liable with the minor for any
4 damages resulting from the willful misconduct.

5 Subject to the provisions of Subsection (c), the joint and several
6 liability of the parent or guardian having custody and control of a minor
7 under this Subsection *shall not* exceed Twenty-Five Thousand Dollars
8 (\$25,000) for each tort of the minor, and in the case of injury to a person,
9 imputed liability *shall* be further limited to medical, dental, and hospital
10 expenses incurred by the injured person and attorney fees as allowed by
11 Article 6 of Chapter 26 of 7 GCA, *not to exceed* Twenty-Five Thousand
12 Dollars (\$25,000). The liability imposed by this Section is in addition to any
13 liability now imposed by law.

14 (b) Any act of willful misconduct of a minor that results in the
15 defacement of property of another with paint or a similar substance *shall* be
16 imputed to the parent or guardian having custody and control of the minor
17 for all purposes of civil damages, including court costs and attorney fees, as
18 allowed by Article 6 of Chapter 26 of 7 GCA to the prevailing party, and the
19 parent or guardian having custody and control *shall* be jointly and severally
20 liable with the minor for any damages resulting from the willful misconduct,
21 *not to exceed* Twenty-Five Thousand Dollars (\$25,000), *except* as provided
22 in Subsection (c), for each tort of the minor.

23 (c) The maximum liability imposed by this Section is the
24 maximum liability authorized under this Section at the time that the act of
25 willful misconduct by a minor was committed.

26 (d) Nothing in this Section shall impose liability on an insurer for a
27 loss caused by the willful act of the insured for purposes of § 18602 of

1 Chapter 18 of 22 GCA. An insurer *shall not* be liable for the conduct
2 imputed to a parent or guardian by this Section for any amount in excess of
3 Ten Thousand Dollars (\$10,000).

4 (e) Parent or guardian liability, *supra*, *shall not* include “foster
5 parent” unless there is negligence by said foster parent.”