



THIRD GUAN LEGISLATURE  
1956 (SECOND) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill No. 246, "An Act to amend Title XVI, Part I of the Penal Code of Guam by amending the title to Section 666 and to Section 667, by adding a new Section 667.1, by repealing Section 668, and by adding a new Section 668, Concerning punishment for offenses after previous convictions", on the 2nd day of July, 1956, was duly and regularly passed.

  
F. B. LEON GUERRERO  
Speaker


ATTESTED:

  
A. S. N. DUMAS  
Legislative Secretary

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This Act was received by the Governor this 6<sup>th</sup> day  
of July, 1956 at 2:55 o'clock P. M.

  
E. F. L. GUERRERO  
Acting Secretary of Guam

APPROVED:

  
M. Y. CONROY  
Acting Governor of Guam

Dated: JUL 24 1956

9:58 A. M.

P.L. 3-96

An Act to amend Title XVI, Part I of the Penal Code of Guam by amending the title to Section 666 and to Section 667, by adding a new Section 667.1, by repealing Section 668, and by adding a new Section 668, concerning punishment for offenses after previous convictions.

**Be it enacted by the People of the Territory of Guam:**

Section 1. Section 666 of Title XVI, Part I of the Penal Code of Guam is hereby amended to read as follows:

"Section 666. Punishment after previous conviction of petit theft. Every person who having been convicted of petit larceny or petit theft and having served a term therefor in any penal institution, commits any crime after such conviction, is punishable therefor as follows:

(1) If the offense of which such person is subsequently convicted is such that, upon a first conviction, an offender could be punished by imprisonment for any term exceeding 5 years, such person may be punished by imprisonment for the maximum period for which he might have been sentenced if such offense had been his first offense, but in no case less than 5 years.

(2) If the subsequent offense is such that upon a first conviction, the offender would be punishable by imprisonment for 5 years, or any less term, then the person



convicted of such subsequent offense is punishable by imprisonment not exceeding 10 years.

(3) If the subsequent conviction is for petit theft then the person convicted of such subsequent offense is punishable by imprisonment not exceeding 5 years.

Section 2. Section 667 of Title XVI, Part I of the Penal Code of Guam is hereby amended to read as follows:

"Section 667. Punishment for petit theft after conviction of felony. Every person who, having been convicted of any felony either in Guam or elsewhere, and having served a term therefor in any penal institution, commits petit theft after such conviction, is punishable therefor by imprisonment not exceeding 5 years."

Section 3. Section 667.1 is hereby added to Title XVI, Part I of the Penal Code of Guam to read as follows:

"Section 667.1. Punishment after previous conviction of felony. Every person who, having been convicted of any felony either in Guam or elsewhere, and having served a term therefor in any penal institution, commits any other felony, is punishable therefor by imprisonment as provided by the laws of Guam relating to the later felony but in no case less than imprisonment for 3 years."

Section 4. Section 668 of Title XVI, Part I of the Penal Code of Guam is hereby repealed in its entirety and the following new Section 668 is hereby added to Title XVI, Part I of the Penal Code of Guam to read as follows:

"Section 668. Punishment of habitual criminals. Every person convicted in Guam of any felony, who has been twice before convicted in Guam or elsewhere of any offense amounting to a felony, and having served a term therefor in any penal institution, shall be adjudged a habitual criminal and shall be punished by imprisonment for not less than ten (10) or more than thirty (30) years, but in no case shall the punishment be less than that prescribed by law for the later felony. For purposes of this section, escape from any prison or jail shall be deemed a felony under the laws of Guam."

Section 5. This Act is an urgency measure.

Approved July 24, 1956.