

Public Law 28-24

I MINA'BENTE OCHO NA LIHESLATURAN GUÁHAN 2005 (FIRST) Regular Session

Bill No. 5 (LS)

As amended on the Floor.

Introduced by:

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AN ACT TO ADD A NEW §4203.3 TO TITLE 4 AND A NEW §5253 TO TITLE 5 OF THE GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING CONVICTED SEX OFFENDERS FROM BEING EMPLOYED IN THE GOVERNMENT OF GUAM OR BY GOVERNMENT CONTRACTORS IN AREAS FREQUENTED BY CHILDREN.

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

2 **Section 1. A new Section 4203.3 is hereby added to Title 4 Guam Code Annotated to**

3 **read:**

4 **“§4203.3. Prohibition: Sex offenders prohibited from employment in the Guam**
5 **Public School System or other agencies and facilities of the government of Guam frequented**
6 **by children.** (a) No person convicted of a sex offense under the provisions of Chapter 25 of Title 9
7 Guam Code Annotated, or an offense as defined in Article 2 of Chapter 28, Title 9 GCA in Guam, in
8 another state or subdivision of the United States or a foreign country may work on the campus of any
9 public school, on the campuses of the Guam Community College or the University of Guam, as a bus
10 driver, in any public library, the Department of Youth Affairs, at the Guam Memorial Hospital, at the
11 Medical Services and the Child Protection Services divisions of the Department of Public Health and
12 Social Services, at the Department of Integrated Services for Individuals with Disabilities (DISID), at
13 the Department of Mental Health and Substance Abuse, or in areas frequented by children under the
14 jurisdiction of the Department of Parks and Recreation including, *but not limited to*, the *Hagåtña* Pool.”

15 **Section 2. A new Section 5253 is hereby added to Title 5 Guam Code Annotated to read:**

16 **“§5253. Restriction against contractors employing convicted sex offenders from**

1 **working at certain government of Guam venues.** (a) No person convicted of a sex offense under
2 the provisions of Chapter 25 of Title 9 Guam Code Annotated, or an offense as defined in Article 2 of
3 Chapter 28, Title 9 GCA in Guam, in another state or subdivision of the United States or a foreign
4 country, who is employed by a business contracted to perform services for an agency or
5 instrumentality of the government of Guam, may work on the campus of any public school, on the
6 campuses of the Guam Community College or the University of Guam, as a bus driver, in any public
7 library, the Department of Youth Affairs, at the Guam Memorial Hospital, at the Medical Services and
8 the Child Protection Services divisions of the Department of Public Health and Social Services, at the
9 Department of Integrated Services for Individuals with Disabilities (DISID), at the Department of
10 Mental Health and Substance Abuse, or in areas frequented by children under the jurisdiction of an
11 agency of the government of Guam including, *but not limited to*, the *Hagåtña* Pool.

12 (b) All contracts for services to agencies listed herein shall include the following provisions: (1)
13 warranties that no person, providing services on behalf of the contractor has been convicted of a sex
14 offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of
15 Chapter 28, Title 9 GCA; (2) that if any person providing services on behalf of the the contractor is
16 convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined
17 in Article 2 of Chapter 28, Title 9 GCA, that such person will be immediately removed from working at
18 said agency and that the administrator of said agency be informed of such within twenty-four (24)
19 hours of such conviction.

20 (c) Duties of the General Services Agency or Procurement Administrators. All contracts, bids,
21 or Requests for Proposals shall state all the conditions in §5253(b).

22 (d) Any contractor found in violation of §5253(b), after notice from the contracting authority of
23 such violation, shall within twenty-four (24) hours take corrective action and shall report such action to
24 the contracting authority. Failure to take corrective action within the stipulated period may result in the
25 temporary suspension of the contract at the discretion of the contracting authority.”