

**3 GCA ELECTIONS**  
**CH. 8 ELECTION CAMPAIGN AND CAMPAIGN OFFENSES**

**CHAPTER 8**  
**ELECTION CAMPAIGN AND CAMPAIGN OFFENSES**

**NOTE:** Unless otherwise noted, all sections within this chapter were included in the original Government Code of Guam enacted by P.L. 1-088 (Nov. 29, 1952), and repealed and reenacted by P.L. 7-164 (Aug. 28, 1964). During the Fifteenth Guam Legislature, the Compiler announced that Title 3 - Elections had been added to the new, permanent Guam Code Annotated. *See* 4 Guam Sess. L. Introduction (Mar. 1981).

- Article 1. General Provisions.
- Article 2. Dishonesty and Fraud in Elections.
- Article 3. Ballot Related Offenses.
- Article 4. Election Officers.
- Article 5. Other Provisions.

**ARTICLE 1**  
**GENERAL PROVISIONS**

- § 8101. Application of Chapter.
- § 8102. Willful Violation of Election Laws.
- § 8103. Disqualification.
- § 8104. Complaints.

**§ 8101. Application of Chapter.**

All the provisions of this Chapter apply to every election in Guam.

**SOURCE:** GC § 2335. Codified as 3 GCA § 8130; at the time of codification, the Compiler recognized GC § 2328 contained identical wording. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**2012 NOTE:** Chapter 8 of the Government Code (1970), §§ 2300-2337, was entitled "*Election Campaigns and Campaign Offenses.*" This section was repealed by P.L. 18-30:53 (Feb. 19, 1986).

**§ 8102. Willful Violation of Election Laws.**

Any person who willfully violates any provision of any law on Guam relating to any election, unless a different classification is prescribed by this Title, is guilty of a misdemeanor.

**SOURCE:** GC § 2701. Amended by P.L. 13-187:48 (Sept. 2, 1976). Codified as 3 GCA § 14102. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

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**2012 NOTE:** Chapter 8 of the Government Code (1970), §§ 2300-2337, was entitled "*Election Campaigns and Campaign Offenses*." This section was repealed by P.L. 18-30:53 (Feb. 19, 1986).

**§ 8103. Disqualification.**

Any candidate convicted for any violation under the provisions of this Chapter is disqualified from holding the office for which he was a candidate or nominee at the time of violating the provisions aforesaid.

**SOURCE:** GC § 2334. Codified as 3 GCA § 8129. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**2012 NOTE:** Chapter 8 of the Government Code (1970), §§ 2300-2337, was entitled "*Election Campaigns and Campaign Offenses*." This section was repealed by P.L. 27-108:2 (Oct. 27, 2004).

**§ 8104. Complaints.**

Any person who alleges or claims a violation of any provision of this Chapter has occurred may file a complaint with the Commission. The Commission shall expeditiously investigate the matter in accordance with § 2106 of Chapter 2 of this Title. Whenever any person, in the judgment of the majority of Commission members, has engaged in any acts or practices which constitute a violation of this Chapter, the Commission shall refer the record of said investigation to the Attorney General of Guam, who shall institute a criminal prosecution, and, in the event the person is convicted of the violation prior to the election in question, the Commission shall strike his or her name from the ballot. In the event the person is convicted of the violation subsequent to the election in question and was elected to the office for which he or she was a candidate, the Attorney General shall take necessary civil action to effect the candidate's disqualification from office.

**SOURCE:** GC § 2337. Added by P.L. 12-144:22 (June 10, 1974). Codified as 3 GCA § 8132. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**2012 NOTE:** Chapter 8 of the Government Code (1970), §§ 2300-2337, was entitled "*Election Campaigns and Campaign Offenses*." This section was repealed by P.L. 18-30:53 (Feb. 19, 1986).

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**ARTICLE 2**  
**DISHONESTY AND FRAUD IN ELECTIONS**

- § 8201. Bribery.
- § 8202. Payment of Value to Induce Candidate to Withdraw.
- § 8203. Unlawful Registration as Crime.
- § 8204. Receipt of Value: To Vote or Not Vote.
- § 8205. To Vote or Aid in Securing Nomination for Another.
- § 8206. Payment to Promote Election.
- § 8207. Promising Appointment to Office.
- § 8208. Communication of Promise.
- § 8209. Adding or Removing Votes; Altering Returns.
- § 8210. Illegally Influencing Voter.
- § 8211. Intimidation of Voters.
- § 8212. Wrongful Interference With Voting.
- § 8213. Unlawful Influence by Employer.
- § 8214. Deceiving Illiterate Voter.
- § 8215. Aiding and Abetting Unlawful Voting.
- § 8216. Fraudulent Voting.
- § 8217. Giving, Offering or Receiving Bribe.
- § 8218. Payment of Value: To Vote, Not Vote or Reward for Same.
- § 8219. Receipt of Value: To Procure Election or Vote.

**§ 8201. Bribery.**

Any person who offers any bribe or makes promise of gain, or with knowledge of the same, permits any person to offer any bribe or make any promise of gain for that person's benefit, to any voter to induce that person to sign an election paper, and any person who accepts any bribe or promise of gain of any kind as consideration for signing the same, whether the bribe or promise of gain be offered or accepted before or after signing, shall be guilty of a felony of the third degree.

**SOURCE:** GC § 2951. Added by P.L. 10-151 (June 24, 1970). Amended by P.L. 13-187:59 (Sept. 2, 1976). Codified as 3 GCA § 16602. Amended by P.L. 25-146:60 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8202. Payment of Value to Induce Candidate to Withdraw.**

A person shall not, directly or indirectly, by himself or herself or through any other person or persons, advance or pay, or cause to be paid, any

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money or other valuable offer to, or, for the use of any other person, in consideration of a person withdrawing as a candidate for a public office. Any person who violates this provision is guilty of a felony.

**SOURCE:** GC § 2326. Codified as 3 GCA § 8122. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8203. Unlawful Registration as Crime.**

Any person who willfully causes, procures or allows himself or herself or any person to be registered as a voter, knowing himself or herself or the other person not to be entitled to registration, is guilty of a felony of the third degree.

**SOURCE:** GC § 2060, added by P.L. 12-149 (June 19, 1974). Amended by P.L. 13-187:40 (Sept. 2, 1976). Codified as 3 GCA § 3108. Repealed and reenacted by P.L. 22-109:2 (Apr. 1, 1994). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8204. Receipt of Value: To Vote or Not Vote.**

A person shall not, directly, by himself or herself or through any other person, receive, agree or contract for, before or during an election, any money, gift, loan or other valuable consideration, office, place or employment, for himself or herself or any other person, for:

- (a) voting or agreeing not to vote;
- (b) coming to or agreeing to come to the polls;
- (c) refraining or agreeing to refrain from voting;
- (d) voting or agreeing to vote for any particular person;
- (e) refraining or agreeing to refrain from voting, for any particular person; and
- (f) inducing any other person to:
  - (1) vote or refrain from voting;
  - (2) vote or refrain from voting for any particular person; and
  - (3) come to or remain away from the polls.

Any person who violates any part of this provision is guilty of a felony.

**SOURCE:** GC § 2321. Codified as 3 GCA § 8117. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8205. To Vote or Aid in Securing Nomination for Another.**

A person shall not, directly or indirectly, by himself or herself or through any other person, give or receive any money or other valuable offer, before, during or after an election because he or any other person either:

(a) voted to secure the election or endorsement of any other person as the nominee or candidate of any convention, organized assemblage of electors or voters, or other body representing or claiming to represent a political party or principal, or any club, society or association; or

(b) aided in securing the selection or endorsement of any other person as a nominee or candidate as provided in Subsection (a) of this Section.

Any person who violates any part of this provision is guilty of a felony.

**SOURCE:** GC § 2322. Codified as 3 GCA § 8118. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8206. Payment to Promote Election.**

Any person who, with the intent to promote the election of himself or herself or any other person, furnishes or engages to pay or deliver any money or property for any purposes intended to promote the election of any nominee or candidate, except as to the expenses of holding and conducting public meetings for the discussion of questions, and of printing and circulating handbills and other papers prior to an election, is guilty of a misdemeanor.

**SOURCE:** GC § 2329. Codified as 3 GCA § 8124. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8207. Promising Appointment to Office.**

Any person, who being a nominee or candidate at any election, offers or agrees to appoint or procure the appointment of any particular person to office, as an inducement or consideration to any person to vote for or to procure, or aid in procuring, the election of any nominee or candidate, is guilty of a misdemeanor.

**SOURCE:** GC § 2330. Codified as 3 GCA § 8125. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8208. Communication of Promise.**

Every person is guilty of a misdemeanor who communicates any offer made in violation of the preceding § 8207 to any person with intent to induce him or her to vote for, or to procure or aid in procuring the election of, the nominee or candidate making the offer.

**SOURCE:** GC § 2331. Codified as 3 GCA § 8126. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8209. Adding or Removing Votes; Altering Returns.**

Every person who willfully adds to or subtracts from the votes actually cast at an election in any official or unofficial returns, or who alters the returns, is guilty of a felony.

**SOURCE:** GC § 2704. Amended by P.L. 13-187:51 (Sept. 2, 1976). Codified as 3 GCA § 14105. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8210. Illegally Influencing Voter.**

Any person who, by force, threat, menace, bribery or any corrupt means, either directly or indirectly, attempts to influence any voter in giving his or her vote, or to deter him or her from giving it, or attempts by any means to threaten, restrain, hinder, or disturb any voter in the exercise of the right of suffrage, is guilty of a felony.

**SOURCE:** GC § 2707. Codified as 3 GCA § 14107. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8211. Intimidation of Voters.**

Any person, association or corporation who, directly or indirectly, makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens the infliction, directly or indirectly, any injury, damage, harm or loss, or in any manner practices intimidation upon or against any person in order to induce or compel that person to vote or refrain from voting at any election, or to vote or refrain from voting for any particular person at any election or because any person voted or refrained from voting at any election, is guilty of a felony of the third degree.

**SOURCE:** GC § 2708, entitled "*Illegally influencing voter.*" Codified as 3 GCA § 14108, entitled "*Intimidation of Voters.*" Amended by P.L. 25-146:51 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8212. Wrongful Interference With Voting.**

Any person, association or corporation who, by abduction, duress or any forcible or fraudulent device or contrivance whatsoever, impedes, prevents or otherwise interferes with the free exercise of the elective franchise by any voter, or who compels, induces or prevails through any forcible or fraudulent means upon any voter either to give or refrain from giving that person's vote at any election, or to give or refrain from giving that person's vote to any particular person or initiative, referendum or legislative submission at any election, is guilty of a felony of the third degree.

**SOURCE:** GC § 2709. Codified as 3 GCA § 14109. Amended by P.L. 25-146:52 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8213. Unlawful Influence by Employer.**

Any employer, whether a corporation, association or a natural person, who within ninety (90) days of any election displays or otherwise exhibits in any workplace under his or her control or management any handbill or placard containing any threat, notice or information that in case any particular ticket of a political party or organization or candidate is elected, work in the employer's place or establishment will be closed or the salaries or wages of the employees will or may be reduced, or makes or communicates other threats, express or implied, intended or calculated to influence the political opinions or actions of the employees, is guilty of a misdemeanor.

**SOURCE:** GC § 2711. Codified as 3 GCA § 14111. Amended by P.L. 25-146:53 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8214. Deceiving Illiterate Voter.**

Any person who furnishes any blind or illiterate voter with a ballot, informing or giving that voter to understand that it contains a name written or printed thereon that is different from the name which is written or printed thereon, or, defrauds any voter at any election by deceiving and causing that person to vote for a different person for any office other than for whom the voter intended or desired to vote, is guilty of a felony of the third degree.

**SOURCE:** GC § 2713. Codified as 3 GCA § 14113. Amended by P.L. 25-146:55 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8215. Aiding and Abetting Unlawful Voting.**

Any person who procures, assists, counsels or advises another to give or offer that person's vote at any election, knowing that the person is not qualified to vote, is guilty of a misdemeanor.

**SOURCE:** GC § 2716. Codified as 3 GCA § 14116. Amended by P.L. 25-146:58 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8216. Fraudulent Voting.**

Any person who:

(a) not being entitled to vote at an election, votes or fraudulently attempts to vote at that election is guilty of a felony of the third degree;

(b) being entitled to vote, attempts to vote more than once at the same election is guilty of a felony of the third degree;

(c) impersonates or attempts to impersonate a voter is guilty of a felony of the third degree; or

(d) votes or attempts to vote while knowing that the person is registered to vote in a jurisdiction other than Guam, is guilty of a felony of the third degree.

**SOURCE:** GC § 2717. Amended by P.L. 13-187:58 (Sept. 2, 1976). Codified as 3 GCA § 14117. Amended by P.L. 25-146:59 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8217. Giving, Offering or Receiving Bribe.**

Any person who:

(a) gives or offers a bribe to any officer or member of any legislative caucus, political convention, committee or political gathering of any kind held for the purpose of nominating candidates for offices of honor, trust or profit on Guam with intent to influence the person to whom the bribe is given or offered to be more favorable to one (1) candidate than another is guilty of a felony of the third degree; or

(b) being a member of any of the entities outlined in Subsection (a), receives or offers to receive any such bribe, is guilty of a felony of the third degree.



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**SOURCE:** GC § 2712. Codified as 3 GCA § 14112. Amended by P.L. 25-146:54 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8218. Payment of Value: To Vote, Not Vote or Reward for Same.**

A person shall not, directly or indirectly, by himself or herself or through any other person pay, lend or contribute or offer or promise to pay, lend or contribute, any money or other valuable consideration to or for any voter, or to or for any other person, to either:

(a) induce a voter to:

- (1) vote or refrain from voting at any election;
- (2) vote or refrain from voting at any election for any particular person;
- (3) come to the polls at an election; or
- (4) remain away from the polls at an election; or

(b) reward a voter for having either:

- (1) voted;
- (2) refrained from voting;
- (3) voted for any particular person;
- (4) refrained from voting for any particular person;
- (5) come to the polls at an election; or
- (6) remain away from the polls at an election.

**SOURCE:** GC § 2323. Codified as 3 GCA § 8119. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8219. Receipt of Value: To Procure Election or Vote.**

A person shall not, directly or indirectly, by himself or herself or through any other person procure, engage, promise or endeavor to procure, in consequence of any gift, loan, offer, promise, procurement or agreement, the election of any person, or the vote of any voter at an election.

**SOURCE:** GC § 2324. Codified as 3 GCA § 8120. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

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**ARTICLE 3  
BALLOT RELATED OFFENSES**

- § 8301. Adding to Ballots in Box.
- § 8302. Adding Ballots During Count.
- § 8303. Taking or Destroying Ballots.
- § 8304. Delivery of Other Than Received Ballot Prohibited.
- § 8305. Two (2) or More Ballots Deposited.
- § 8306. Neglect or Failure to Return Ballot.
- § 8307. Forging or Counterfeiting Returns.
- § 8308. Unlawful Acts as to Poll List, Ballots and Ballot Boxes.

**§ 8301. Adding to Ballots in Box.**

Any person who changes or attempts to alter any ballot after it has been deposited in the ballot box, or adds, or attempts to add, any ballot to those legally polled at any election, by fraudulent placement of a ballot into the ballot box either before or after ballots have been counted is guilty of a felony.

**SOURCE:** GC § 2524, entitled “*Penalty: adding to ballots in box.*” Repealed and reenacted by P.L. 11-209:27 (Dec. 22, 1972) as GC § 2517, entitled “*Penalty: adding to ballots in box.*” Codified as 3 GCA § 11117. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8302. Adding Ballots During Count.**

Any person who adds or aids to add to, or mixes with or attempts to add to or mix with the ballots lawfully polled, any other ballots with intent to change the result of an election is guilty of a felony.

**SOURCE:** GC § 2525. Repealed and reenacted by P.L. 11-209:27 (Dec. 22, 1972) as GC § 2518. Codified as 3 GCA § 11118. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8303. Taking or Destroying Ballots.**

Any person who carries away or destroys, or attempts to carry away or destroy, any poll list or ballot, or ballot box for the purpose of preventing, affecting the result of, or invalidating any election, or willfully detains, mutilates or destroys any election return, is guilty of a felony.

**SOURCE:** GC § 2526. Repealed and reenacted by P.L. 11-209:27 (Dec. 22, 1972) as GC § 2519. Codified as 3 GCA § 11119. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8304. Delivery of Other Than Received Ballot Prohibited.**

A voter shall not deliver to the precinct board, or to any of its members, or deposit in the ballot box any ballot other than the one he or she has received from the member authorized by law to furnish the ballot. Violation of this Section shall constitute a felony.

**SOURCE:** GC § 2394. Codified as 3 GCA § 9140. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8305. Two (2) or More Ballots Deposited.**

Any person who knowingly deposits or attempts to deposit in any ballot box two (2) or more of the same ballot, is guilty of a felony.

**SOURCE:** GC § 2395. Amended by P.L. 11-209:11 (Dec. 22, 1972). Codified as 3 GCA § 9141. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8306. Neglect or Failure to Return Ballot.**

Any person who, having procured an official ballot, willfully neglects or fails to cast or return the same in the manner as provided for in this Title, shall, unless otherwise provided, be guilty of a violation and be fined an amount not to exceed One Hundred Dollars (\$100.00). Any person who applies for an absent voter's ballot and willfully neglects or fails to return the same shall also be deemed to have committed such an offense on Guam, and shall be guilty of a violation and be fined an amount not to exceed One Hundred Dollars (\$100.00).

**SOURCE:** GC § 2477. Amended by P.L. 13-187:46 (Sept. 2, 1976). Codified as 3 GCA § 10127. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8307. Forging or Counterfeiting Returns.**

Every person is guilty of a felony who willfully substitutes forged or counterfeited election ballot returns in the place of true, official returns for a precinct where an election is held.

**SOURCE:** GC § 2703. Amended by P.L. 13-187:50 (Sept. 2, 1976). Codified as 3 GCA § 14104. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8308. Unlawful Acts as to Poll List, Ballots and Ballot Boxes.**

Every person is guilty of a felony who:

- (a) aids in changing or destroying any poll list or official ballot; or

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(b) aids in wrongly placing any ballot in the box, or taking any therefrom; or

(c) adds, or attempts to add, any ballots to those legally polled at any election by fraudulently placing them into the ballot box, either before or after the ballots therein have been counted; or

(d) adds to or mixes with, or attempts to add to or mix with the ballots polled, any other ballots while tabulation is in progress or canvassed, or at any other time, with intent to change the result of the election, or aids and knowingly allows another to do so without effort to prevent or to report the illegal act; or

(e) carries away or destroys, or knowingly allows another to carry away or destroy, any poll list, ballot box or ballots lawfully polled.

**SOURCE:** GC § 2706. Amended by P.L. 13-187:53 (Sept. 2, 1976). Codified as 3 GCA § 14106. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

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**ARTICLE 4**  
**ELECTION OFFICERS**

- § 8401. Prohibited Acts by Officers.
- § 8402. Offenses by Officers.
- § 8403. Interference With Board, Commission or Voters.
- § 8404. Failure to Act as Precinct Board Member.
- § 8405. Fraud.
- § 8406. Unlawful Influence of Voters by Election Officers.
- § 8407. Acting Without Authority.
- § 8408. Penalties for Acts or Omissions.

**§ 8401. Prohibited Acts by Officers.**

Every precinct official of a precinct board is guilty of a misdemeanor who:

(a) attempts to find out any candidate's name voted for on the ballot; or

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(b) except as otherwise authorized by this Title, examines, exhibits or discloses the ballot choice or choices of any voter; or

(c) makes or places any mark or device mark on any ballot with a view of ascertaining the name of any person for whom the voter has voted; or

(d) opens or permits to be opened the ballot box during the time of voting.

**SOURCE:** GC § 2401. Amended by P.L. 12-149:18 (June 19, 1974). Codified as 3 GCA § 9147. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8402. Offenses by Officers.**

Any precinct board member, Commission member, or other election official charged with any duty prescribed by this Chapter who refuses or neglects to perform any such duty, or violates any of the provisions of this Chapter, shall be guilty of a petty misdemeanor, unless otherwise specified.

**SOURCE:** GC § 2478. Amended by P.L. 13-187:47 (Sept. 2, 1976). Codified as 3 GCA § 10128. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8403. Interference with Precinct Board, Commission or Voters.**

Every person who in any manner so interferes with the precinct board, or the Commission or any members thereof, holding an election or conducting a canvass, or with the voters lawfully exercising their right of voting at an election, as to prevent or attempt to prevent the election or canvass from being fairly held and lawfully conducted, is guilty of a felony.

**SOURCE:** GC § 2527. Repealed and reenacted by P.L. 11-209:27 (Dec. 22, 1972) as GC § 2520. Codified as 3 GCA § 11120. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8404. Failure to Act as Precinct Board Member.**

Any voter who has been appointed as a member of a precinct board, and having taken the oath of office, who fails to act as such without lawful or sufficient reason approved by the Commission is guilty of a misdemeanor.

**SOURCE:** GC § 2110, entitled "*Failure to act:penalty.*" Codified as 3 GCA § 4111. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8405. Fraud.**

Every person charged with the performance of any duty under the provisions of the laws of Guam relating to elections, who, in his or her official capacity, knowingly acts in contravention or in violation of any of the provisions of such laws, unless a different classification is prescribed by this Title, is guilty of a misdemeanor.

**SOURCE:** GC § 2702. Amended by P.L. 13-187:49 (Sept. 2, 1976). Codified as 3 GCA § 14103. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8406. Unlawful Influence of Voters by Election Officers.**

Every precinct officer of any election, who, while acting as such, induces or attempts to induce any voter, either by menace or reward, or promise thereof, to vote for any particular person or to refrain from so voting, is guilty of a felony.

**SOURCE:** GC § 2710. Codified as 3 GCA § 14110. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8407. Acting Without Authority.**

Any person is guilty of a felony of the third degree who at any election:

(a) knows that a person who has not been appointed and qualified acts as a member of a precinct board; or

(b) knows that a person is not a member of a precinct board but who performs or discharges any of the duties of a member of a precinct board in regards to the handling, counting or canvassing of any ballots.

**SOURCE:** GC § 2714. Amended by P.L. 13-187:55 (Sept. 2, 1976). Codified as 3 GCA § 14114. Amended by P.L. 25-146:56 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8408. Penalties for Acts or Omissions.**

(a) Any person authorized by the Commission, having charge of affidavits of registration, or absentee ballot applications submitted in lieu of affidavits of registration, who:

(1) neglects or refuses to perform any duty required by law in connection with the registration of voters; or

(2) neglects or refuses to perform such duty in the manner required by voter registration provisions of this Title; or

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(3) enters, or causes or permits to be entered, on the voter registration records the name of any person in any other manner or at any other time that is prescribed by voter registration laws, or enters, or causes or permits to be entered, on such records the name of any person not entitled to be thereon; or

(4) destroys, mutilates, conceals, changes or alters any registration record in connection therewith, except as authorized by voter registration provisions of this Title, is guilty of a felony of the third degree. Each and every omission herein constitutes a separate offense.

(b) Any person who:

(1) knowingly provides false information on an application for voter registration under any provision of this Title; or

(2) knowingly makes or attests to a false declaration as to that person's qualifications as a voter; or

(3) knowingly causes or permits oneself to be registered using the name of another person; or

(4) knowingly causes oneself to be registered under two (2) or more different names; or

(5) knowingly causes oneself to be registered in two (2) or more precincts; or

(6) offers to pay another person to assist in registering voters, where payment is based on a fixed amount of money per voter registration; or

(7) accepts payment for assisting in registering voters, where payment is based on a fixed amount of money per voter registration; or

(8) knowingly causes any person to be registered or causes any registration to be transferred or canceled, except as authorized under this Title, is guilty of a felony of the third degree. Each and every violation herein constitutes a separate offense.

**SOURCE:** GC § 2067. Codified as 3 GCA § 3115. Amended P.L. 25-146:16 (June 12, 2000). Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

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**ARTICLE 5**  
**OTHER PROVISIONS**

- § 8501. Removing or Defacing Results Posted.
- § 8502. Refusal to Appear and Testify.
- § 8503. Violation of Overseas Voter Rules.
- § 8504. Publications Reflecting on Character of Candidate.
- § 8505. Refusal to Testify on Another's Right to Vote.
- § 8506. Subversive Activities Prohibited.
- § 8507. Severability.

**§ 8501. Removing or Defacing Results Posted.**

Every person who removes or defaces any posted copy of the results of the votes cast is guilty of a misdemeanor.

**SOURCE:** GC § 2528. Repealed and reenacted by P.L. 11-209:27 (Dec. 22, 1972) as GC § 2521. Codified as 3 GCA § 11121. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8502. Refusal to Appear and Testify.**

Any person summoned to appear and testify before any precinct board or the Election Commission who willfully ignores or disobeys the summons is guilty of a misdemeanor.

**SOURCE:** GC § 2118. Codified as 3 GCA § 4119. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8503. Violation of Overseas Voter Rules.**

Any person who violates the prohibitions relative to overseas voters as contained in § 9124, Chapter 9 of this Title shall be guilty of a misdemeanor.

**SOURCE:** Added by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8504. Publications Reflecting on Character of Candidate.**

Every person shall be subject to a civil penalty of not more than Five Thousand Dollars (\$5,000) per each separately produced message who intentionally writes, prints, posts or distributes, or causes to be written, printed, posted or distributed, any circular, pamphlet, letter or poster which is designed or intended to injure or defeat any candidate for nomination or election to any public office by reflecting upon his personal character or



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political actions, unless there appears upon the circular, pamphlet, letter or poster, in a conspicuous place, either:

(a) the names of the chairman and secretary, or the names of two (2) officers of the political party or any other organization issuing it; or

(b) the name and residence, with the street and number thereof if any, of the person responsible therefore.

**SOURCE:** GC § 2332. Codified as 3 GCA § 8127. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8505. Refusal to Testify on Another's Right to Vote.**

Every person who, after being required to do so by the precinct board at an election, refuses to be sworn, or being sworn, refuses to answer any pertinent question propounded by the board concerning the right of another to vote, is guilty of a misdemeanor.

**SOURCE:** GC § 2718. Codified as 3 GCA § 14118. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8506. Subversive Activities Prohibited.**

No person who advocates, or who aids or belongs to any party, organization or association which advocates the overthrow by force or violence against the government of Guam or of the United States, shall be qualified to hold any public office of trust or profit within the government of Guam; and furthermore, no such person shall be entitled to a place on the ballot in any election held within Guam, and if elected shall be disqualified from holding office.

**SOURCE:** GC § 2750. Codified as 3 GCA § 14119. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

**§ 8507. Severability.**

If any provision of this Chapter, or the application thereof, to any person or circumstance is held invalid, the remainder of the Chapter and the application of the provision to other persons not similarly situated, or to other circumstances, shall not be affected.

**SOURCE:** GC § 2952, added by P.L. 10-151:1 (June 24, 1970). Codified as 3 GCA § 16603. Repealed and reenacted to this section by P.L. 31-255:2 (Dec. 11, 2012).

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