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**CHAPTER 14
PENAL PROVISIONS**

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§ 14101. Application of Chapter.

All the provisions of this Chapter apply to all elections in Guam.

SOURCE: GC § 2700.

§ 14102. Wilful Violations of Election Laws.

Every person who wilfully violates any of the provisions of laws of Guam relating to any election is, unless a different classification is prescribed by this Title, guilty of a misdemeanor.

SOURCE: GC § 2701, as amended by P.L. 13-187:48.

§ 14103. Fraud.

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

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SOURCE: GC § 2702, as amended by P.L. 13-187:49.

§ 14104. Forging or Counterfeiting Returns.

Every person is guilty of a felony who wilfully substitute forged or counterfeited election returns in the place of true returns for a precinct where an election is held.

SOURCE: GC § 2703, as amended by P.L. 13-187:50.

§ 14105. Adding or Removing Votes; Altering Returns.

Every person who wilfully 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, as amended by P.L. 13-187:51.

NOTE: GC § 2705 was repealed by P.L. 13-187:52.

§ 14106. 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

(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 putting 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 they are being counted or canvassed, or at any other time, with intent to change the result of the election, or aids and allows another to do so, when it is within his power to prevent it; 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, as amended by P.L. 13-187:53.

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§ 14107. Illegally Influencing Voter.

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

SOURCE: GC § 2707.

§ 14108. Intimidation of Voters.

Every person, association or corporation is guilty of a felony of the third degree 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.

SOURCE: GC § 2708. Amended by P.L. 25-146:51.

§ 14109. Wrongful Interference With Voting.

Every person, association or corporation is guilty of a felony of the third degree who by abduction, duress or any forcible or fraudulent device or contrivance whatever 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 for any particular person or initiative, referendum or legislative referral at any election.

SOURCE: Amended by P.L. 25-146:52.

§ 14110. Unlawful Influence of Voters by Election Officers.

Every inspector, judge or clerk 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.

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§ 14111. Unlawful Influence by Employer.

Every employer, whether a corporation, association or a natural person, is guilty of a misdemeanor who within ninety (90) days of any election puts up or otherwise exhibits in any workplace under his, her or its 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..

SOURCE: GC § 2711. Amended by P.L. 25-146:53.

§ 14112. Giving, Offering or Receiving Bribe.

Every person is guilty of a felony of the third degree 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; or

(b) being a member of any of the bodies in this Section mentioned, receives or offers to receive any such bribe.

SOURCE: Amended by P.L. 25-146:54.

§ 14113. Deceiving Illiterate Voter.

Every person is guilty of a felony of the third degree 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 than the voter intended or desired to vote.

SOURCE: GC § 2713. Amended by P.L. 25-146:55.

§ 14114. Acting Without Authority.

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

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(a) knowing that the person has not been appointed and qualified, acts as a member of a precinct board; or

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

SOURCE: GC § 2714, as amended by P.L. 13-187:55; P.L. 25-146:56.

§ 14115. Service When Illiterate; Refusal to Serve.

[Repealed.]

SOURCE: GC § 2715, as amended by P.L. 13-187:56. Repealed by P.L. 25-146:57.

§ 14116. Aiding and Abetting Unlawful Voting.

Every person is guilty of a misdemeanor 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.

SOURCE: Amended by P.L. 25-146:58.

§ 14117. Fraudulent Voting.

Every person is guilty of a felony of the third degree who:

(a) not being entitled to vote at an election, votes or fraudulently attempts to vote at that election;

(b) being entitled to vote, attempts to vote more than once at the same election;

(c) impersonates or attempts to impersonate a voter; or

(d) votes or attempts to vote while knowing that the person is registered to vote in a jurisdiction other than Guam.

SOURCE: GC § 2717, as amended by P.L. 13-187:58; P.L. 25-146:59..

§ 14118. 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 touching the right of another to vote, is guilty of a misdemeanor.

SOURCE: GC § 2718.

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§ 14119. 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 of the government of Guam or of the United States, shall be qualified to hold any public office of trust or profit under 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.
