

CHAPTER 14
PUBLICATION OF FINANCIAL INFORMATION BY NONPROFIT
ORGANIZATIONS

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§ 14101. Purpose of Chapter.

The Legislature finding that the people of Guam are generous contributors to charitable or other nonprofit organizations but are usually unaware of the disposition made of their contributions, the purpose of this Chapter is to require all such organizations, except strictly religious ones, to file and publish annual financial statements so that the people of Guam can be made aware of the actual fiscal needs of these organizations and can thus govern themselves in their donations to such organizations accordingly.

SOURCE: CC § 651.1. This Chapter added by P.L. 9-160 (3/7/68).

CROSS-REFERENCES: See Title 3, Guam Code Annotated for the governance and specific filing requirements of political parties and organizations.

§ 14102. Filing of Annual Reports.

Except for an organization that is entirely religious in character, or a fraternal organization operating under the lodge system that does not solicit, directly or indirectly, from the general public donations and contributions, and does not participate in local fund-raising activities such as raffles and bingo games, every nonprofit organization, including but not limited to a fraternal benefit society, order or association operating under the lodge system, a corporation, association, or society organized and operated for eleemosynary, scientific or educational purposes, business league, Chamber of Commerce, civil league, a political party, any organization of more than two individuals whose purpose is to provide funds or other assistance of value to a political candidate, any organization with the avowed purpose of advocating the improvement of the Government of Guam or the political process, and an organization operating for the benefit of the community and for the promotion of social welfare, shall caused to be published annually within forty-five (45) days of the close of its fiscal year in a newspaper of general circulation in the Territory of Guam a financial report which report shall include a statement of its income and expenditures for the preceding

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year and a balance sheet showing its assets and liabilities. For the limited purpose of this section, the fiscal year of a political party, an organization of more than two individuals, whose purpose is to provide funds or other assistance of value to a political candidate and any organization with the avowed purpose of advocating the improvement of the Government of Guam or the political process shall end on September 15. Such newspaper report need be no larger than four inches by five inches. Such financial statement shall contain a certificate as to its accuracy by an officer of the organization which financial statement shall be filed with the Director of Revenue & Taxation.

SOURCE: CC § 651.2 added by P.L. 9-160; amended by P.L. 10-37, P.L. 10-82, and 12-154.

§ 14103. Administration by Department of Revenue & Taxation.

The Director of Revenue & Taxation shall administer the provisions of this Chapter and upon a finding of noncompliance thereof by any organization required to file and publish such statement, he shall revoke any license or charter issued to such organization by the Government of Guam and shall revoke the tax exempt status of such organization; provided, however, that such action or actions may be taken by the Director only after a public hearing pursuant to the provisions of the Administrative Adjudication Law [5 GCA Chapter 6]. In addition, any officer of an organization required to publish its financial statement under the provisions of this Chapter who either intentionally fails to publish such or intentionally falsifies the information therein shall be guilty of a misdemeanor.

SOURCE: CC § 651.3 added by P.L. 9-160; amended by P.L. 13-187:6.

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