

(S. B. 1331)

(No. 33)

(Approved April 5, 2007)

## **AN ACT**

To amend clause (12) of subsection E of Section 1-106 of Act No. 447 of May 15, 1951, as amended, known as the “Employees Retirement System of the Government of Puerto Rico and its Instrumentalities Act,” in order to eliminate the minimum requirement for time served as Municipal Legislator for accreditation in the Employees Retirement System of the Government of Puerto Rico.

### **STATEMENT OF MOTIVES**

Act No. 447 of May 15, 1951, as amended, known as the “Employees Retirement System of the Government of Puerto Rico and its Instrumentalities Act,” provides that in order to accept as creditable service the time served as Municipal Legislator it is required as a minimum to have been in office for a term of not less than eight (8) years.

This provision limits those citizens who contributed their time, talent and knowledge to serving their towns and fellow citizens, of being able to pay, as creditable service, the time served as Municipal Legislators should they enter the labor force of the public system as Government employees.

By eliminating said provision those public service employees who served as Municipal Legislators shall have the opportunity of requesting accreditation for the time served following the parameters and provisions of the “Employees Retirement System of the Government of Puerto Rico and its Instrumentalities” Act. The participants, pursuant to what the Act states,

shall pay the corresponding individual and employer contributions on the basis of the salaries received when joining the System or on the basis of the salaries received when accreditation is requested, whichever is greater.

***BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:***

Section 1.-Clause (12) of subsection E of Section 1-106 of Act No. 447 of May 15, 1951, as amended, is hereby amended to read as follows:

“Section 1-106.-Creditable Services

A. ...

B. ...

C. ...

D. ...

E.-Other Creditable Services.-In addition to the preceding provisions, the following services shall be credited to any person who is a member of the System at the time accreditation is requested:

(1) ...

(2) ...

(3) ...

(4) ...

(5) ...

(6) ...

(7) ...

(8) ...

(9) ...

(10) ...

(11) ...

(12) The time served as municipal legislator shall be credited provided the latter has neither been a participant of the System nor

has been in government service in any department, division, agency, instrumentality, public enterprise or municipality of the Commonwealth of Puerto Rico while serving as municipal legislator. The participant shall pay the corresponding individual and employer contributions on the basis of the salaries received when joining the System or on the basis of the salaries received when accreditation is requested, whichever is greater.

(13) ...

(14) ...

(15) ...

(16) ...

(17) ...”

Section 2.-This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 33 (S.B. 1331) of the 5<sup>th</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend clause (12) of subsection E of Section 1-106 of Act No. 447 of May 15, 1951, as amended, known as the “Employees Retirement System of the Government of Puerto Rico and its Instrumentalities Act,” in order to eliminate the minimum requirement for time served as Municipal Legislator for accreditation in the Employees Retirement System of the Government of Puerto Rico,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 17<sup>th</sup> of September of 2007.

Francisco J. Domenech  
Director