

(H. B. 2487)
(Conference)

(No. 105-2015)

(Approved July 2, 2015)

AN ACT

To create the “2015-2016 Municipal Support Fund” and define the uses thereof; create the “2015-2016 Legal Liability Fund” and define the uses thereof; amend Section 13 of Act No. 45 of April 18, 1935, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of fifty-five million four hundred and thirty thousand dollars (\$55,430,000) to the “2015-2016 Municipal Support Fund”; the sum of thirty-one million nine hundred forty-nine thousand dollars (\$31,949,000) to the “2015-2016 Legal Liability Fund”; and the sum of twelve million six hundred twenty-one thousand dollars (\$12,621,000) to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014, all from the Reserve Fund and/or any other source thus identified by the State Insurance Fund Corporation; amend Section 6 of Act No. 45 of April 18, 1935, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of nine million seven hundred thirteen thousand three hundred and forty-eight dollars (\$9,713,348) from the identified savings and/or reserve accounts of the Industrial Commission to the “2015-2016 Legal Liability Fund”; amend Section 16 of Act No. 138 of June 26, 1968, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of five million dollars (\$5,000,000) from the Reserve Fund and/or any other account identified by the Automobile Accident Compensation Administration to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Section 2 of Act No. 20 of April 9, 1976, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of twelve million dollars (\$12,000,000) from account number 0750000-238-081-1998 to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Section 16 of Act No. 41-2009, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of nine million dollars (\$9,000,000) from account number 0140000-226-081-2012 and of eight hundred thousand dollars (\$800,000) from account number 0240000-226-081-1998 to the “2015-2016 Municipal Support Fund” and, for the transfer of one hundred fifty thousand dollars (\$150,000) from account number 0250000-226-781-2012 to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Section 12

of Act No. 172-1996, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of three million five hundred thousand dollars (\$3,500,000) from account number 0500000-226-782-1998 and of one million dollars (\$1,000,000) from account number 0240000-226-882-1998 to the “2015-2016 Legal Liability Fund”; amend Section 3 of Act No. 268-2003, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of four million dollars (\$4,000,000) from the Land Acquisition and Conservation Fund, account number 0500000-281-081-2004, or in any other account to the “2015-2016 Legal Liability Fund”; amend Section 6 of Act No. 171-2014, to provide for the transfer, on Fiscal Year 2015-2016, of two million dollars (\$2,000,000) from account number 23400000-248-081-2002 or in any other account to the “2015-2016 Legal Liability Fund”; amend Section 14 of Act No. 20-2012, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of one million dollars (\$1,000,000) from account number 1190000-237-081-2012, or in any other account to the “2015-2016 Legal Liability Fund”; amend subsection (d) of Section 417 of Act No. 60 of June 18, 1963, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of two million five hundred thousand dollars (\$2,500,000) from account number 0750000-238-780-1998, or in any other account to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Subsection (e) of Section 12 of Act No. 136 of June 3, 1976, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of eight hundred thousand dollars (\$800,000) from account number 0500000-243-881-1998 to the “2015-2016 Legal Liability Fund”; amend Section 5 of Act No. 15 of July 20, 1990, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of six million dollars (\$6,000,000) from account number 0240000-245-081-1998, and of two million dollars (\$2,000,000) from account number 024000-245-882-1998 or in any other account to the “2015-2016 Legal Liability Fund”; amend Section 4 of Act No. 47 of June 4, 1982, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of three million dollars (\$3,000,000) from account number 0240000-245-779-2005, or in any other account to the “2015-2016 Municipal Support Fund”; amend Section 2.03 of Act No. 404-2000, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of one million, four hundred and eighteen thousand, seven hundred and fifty-four dollars (\$1,418,754) from account number 0400000-253-081-2002, or in any other account to the “2015-2016 Legal Liability Fund”; amend Section 17 of Act No. 8 of August 5, 1987, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of one million five hundred thousand dollars (\$1,500,000) from account number 0400000-253-780-1999 to the “Special Education Student’s Therapy and

Service Fund,” created by Act No. 73-2014; amend Section 1 of Act No. 237-1996, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of one million dollars (\$1,000,000) from account number 0550000-229-779-2004, or in any account to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Subsection (q) of Section 23.05 of Act No. 22-2000, to provide for the transfer, on Fiscal Year 2015-2016, of one million dollars (\$1,000,000) from account number 0490000-299-792-2001, or in any other account to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Section 8 of Act No. 74-2006, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of one million dollars (\$1,000,000) from account number 0950000-297-081-2008, or in any other account to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014; amend Subsection (a)(2) of Section 3 of Act No. 52 of August 11, 1989, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of two million seven hundred thousand dollars (\$2,700,000) from account number 0750000-238-779-1998, or in any other account to the “2015-2016 Legal Liability Fund”; amend of Section 17.03 of Act No. 164-2009, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of two million dollars (\$2,000,000) from account number 0230000-245-081-2010, or in any other account to the “Special Education Student’s Therapy and Service Fund” created by Act No. 73-2014; amend Section 17 of Act No. 73-2008, as amended, to reapportion the percentage that shall be covered on Fiscal Year 2015-2016 exclusively into the “Special Economic Development Fund” and the percentage to be covered into the “2015-2016 Legal Liability Fund”; amend Subsection (a)(1) of Section 2.2 of Act No. 83-2010, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of five million dollars (\$5,000,000) from account number 1320000-274-081-2011, or in any other account to the “2015-2016 Legal Liability Fund”; amend Section 29 of Act No. 53-1996, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of one million dollars (\$1,000,000) from account number 0400000-253-081-1998, or in any other account to the “2015-2016 Legal Liability Fund”; direct the transfer to the “2015-2016 Legal Liability Fund” of one million seven hundred thousand dollars (\$1,700,000) from account number 0820000-232-081-2010, described as “2009-2010 Budget”; five million one hundred fifty-five thousand six hundred ninety-eight dollars (\$5,155,698) from account number 1270000-245-081-2014, described as “Inventory of Bank Accounts”; three million dollars available in account number 0710000-297-780-2000, described as “Certificates of Necessity and

Convenience”; to provide for the term to make transfers between the items provided in the funds created by law; and for other related purposes.

STATEMENT OF MOTIVES

The fiscal situation that the Island is currently undergoing compels us to make optimum and efficient use of available resources so as to conduct public affairs effectively. In order to manage our current fiscal situation in an organized manner, we have identified and evaluated the different sources of income available to finance the work plan, as well as the programs and critical services offered by the Government of the Commonwealth of Puerto Rico.

For such reason, we have earmarked a series of resources in public corporations, and government entities, as well as special funds created for different agencies. With the funds thus earmarked, we will be able to defray certain appropriations that otherwise would have to be defrayed from the resources of the General Fund. It must be noted that such appropriations are evidently critical, since they will cover the contributions made by the Government to the municipalities, provide resources for the special education program, as well as meet obligations relating to legal claims. This Administration deems this legislative proposal to be a prudent and responsible alternative in managing public resources.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- There is hereby created the “2015-2016 Municipal Support Fund,” which shall be under the control and custody of the Office of Management and Budget, without a specific fiscal year. This Fund shall be nurtured from legislative, municipal, federal or private appropriations or of any other nature, and the matching or combination thereof shall be allowed. The monies deposited in said Fund shall be accounted in special account in the Department of the Treasury and may be used to satisfy the needs of municipalities, as provided below:

a. Appropriations under the custody of the Office of Management and Budget

- | | | |
|-------|--|-------------|
| (i) | Provide subsidies to municipalities to bear the impact of the one percent (1%) increase in Employer Contribution for municipal employees, and other pressing needs, for those municipalities lacking the financial capacity to assume it, as provided by the rules of the OMB. | \$8,000,000 |
| (ii) | To defray the net incremental cost of the \$2,000 Contribution per pensioner provided in Act No. 3-2013 for those municipalities lacking the financial capacity to assume it, as provided by rules of the OMB. | 12,500,00 |
| (iii) | Improvements to highways infrastructure. | 9,500,000 |

b. Contributions to Municipalities

- | | | |
|-------|---|------------|
| (i) | To make a contribution for the payment of the Christmas Bonus to municipal employees, according to the amount available to be prorated among municipalities as provided by the Secretary of the Treasury. | 12,000,000 |
| (ii) | For operating expenses of the DTC of Yabucoa | 1,000,000 |
| (iii) | For operating expenses of the Municipality of Vega Baja. | 200,000 |
| (iv) | For operating expenses of the DTC of Maunabo. | 400,000 |
| (v) | For operating expenses of the Municipality of Vieques. | 2,450,000 |
| (vi) | For operating expenses of the Municipality of Cayey. | 950,000 |
| (vii) | For the Emergency Room of Corozal. | 400,000 |

(viii)	For operating expenses of the Municipality of Peñuelas.	300,000
(ix)	Contribution to the Municipality of Vieques to provide maritime transport services.	200,000
(x)	For operating expenses of the Municipality of Comerío.	250,000
(xi)	For operating expenses of DTC of Naguabo.	100,000
(xii)	Contribution to the Municipality of Culebra to provide maritime transport services.	75,000
(xiii)	For operating expenses of the Municipality of Sabana Grande.	800,000
(xiv)	For operating expenses of the Municipality of Hatillo.	300,000
(xv)	For operating expenses of the Municipality of Culebra.	450,000
(xvi)	For operating expenses of the DTC of Quebradillas.	150,000
(xvii)	For operating expenses of the Municipality of Patillas.	550,000
(xviii)	For operating expenses of the Municipality of Yabucoa.	600,000
(xix)	For operating expenses of the Municipality of Salinas.	500,000
(xx)	For operating expenses of the Municipality of Ciales.	500,000
(xxi)	For operating expenses of the Municipality of	450,000

Maunabo.

(xxii) For operating expenses of the Municipality of Guayanilla.	400,000
(xxiii) For operating expenses of the Municipality of Villalba.	400,000
(xxiv) For operating expenses of the Municipality of Lajas.	500,000
(xxv) For operating expenses of the Municipality of Juana Díaz.	400,000
(xxvi) For operating expenses of the Municipality of Cabo Rojo.	350,000
(xxvii) For operating expenses of the Municipality of Loíza.	400,000
(xxviii) For operating expenses of the Municipality of Las Marías.	500,000
(xxix) For operating expenses of the Municipality of Aguas Buenas.	450,000
(xxx) For operating expenses of the Municipality of Orocovis.	100,000
(xxxi) For operating expenses of the Municipality of Río Grande.	400,000
(xxxii) For operating expenses of the Municipality of Ceiba.	100,000
(xxxiii) For operating expenses of the Municipality of Jayuya.	100,000
(xxxiv) For operating expenses of the Municipality of Quebradillas.	200,000

(xxxv) For operating expenses of the Municipality of Utuado.	325,000
(xxxvi) For operating expenses of the Municipality of Maricao.	400,000
(xxxvii) For operating expenses of the Municipality of Barceloneta.	230,000
(xxxviii) For operating expenses of the Municipality of Toa Alta.	300,000
(xxxix) For operating expenses of the Municipality of San Lorenzo.	350,000
(xl) For operating expenses of the DTC of Jayuya.	300,000
(xli) For operating expenses of the DTC of the Municipality of Guánica.	250,000
(xlii) For operating expenses of the Municipality of Aguada.	125,000
(xliii) For operating expenses of the Municipality of Corozal.	75,000
(xliv) For operating expenses of the Municipality of Guayama.	100,000
(xlv) For operating expenses of the Municipality of Juncos.	375,000
(xlvi) For operating expenses of the Municipality of Luquillo.	150,000
(xlvii) For operating expenses of the Municipality of Cataño.	75,000

c. Department of Transportation and Public Works

- (i) To defray the costs of interagency and municipal highways agreements.

	7,450,000
Total	67,430,000

Section 2.- There is hereby created the “2015-2016 Legal Liability Fund,” which shall be under the control and custody of the Office of Management and Budget, without a specific fiscal year. This Fund may be nurtured from legislative, municipal, federal, or private appropriations or of any other nature and the matching or combination thereof shall be allowed. The monies deposited therein shall be kept in a special account in the Department of the Treasury and may be used for the payment of judgments or claims, as provided below:

a. Puerto Rico Police Department

- (i) For expenses related to the Police Reform as provided in the lawsuit of the U.S. Department of Justice and reengineering processes incidental to the reform, including procurement, professional services, technology, consulting services, and any other expense deemed pertinent and convenient for the Reform. \$20,000,000

b. Appropriations under the custody of the Office of Management and Budget.

- (i) To satisfy judgments against the State; satisfy judgments to different agencies; make prospective payment of claims in the federal forum related to the operation of Section 330 health centers, defray expenses of the Department of Health’s Medicare Program, and for the

payment of the lawsuit in connection with unpaid overtime of the Department of Corrections and Rehabilitation or entities attached thereto.	\$38,000,000
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c. Department of Agriculture

(i) To be transferred to the Milk Industry Regulating Office to incentivize Dairy Farmers, to promote milk price stability.	\$24,000,000
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(ii) To pay agreement with manufacturers as agreed in the federal lawsuit on the milk price control.	\$15,000,000
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Total	\$97,000,000
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Section 3.- Section 13 of Act No. 45 of April 18, 1935, as amended, is hereby amended, to read as follows:

“Section 13.- Uninsured Employers

In the case of ...

If any employer ...

In such proceedings...

No contract made ...

In those cases where ...

In those cases in which...

Expenses for medical attendance...

The Manager of the State Insurance Fund is hereby authorized...

Likewise, there shall be transferred from the Reserve Fund and/or any other account thus identified by the State Insurance Fund Corporation, the sum of fifty-five million, four hundred and thirty thousand dollars (\$55,430,000) to the ‘2015-

2016 Municipal Support Fund’; the sum of thirty-one million, nine hundred and forty-nine thousand dollars (\$31,949,000) to the ‘2015-2016 Legal Liability Fund’; and the sum of twelve million, six hundred and twenty-one thousand dollars (\$12,621,000) to the ‘Special Education Student’s Therapy and Service Fund,’ created by Act No. 73-2014, for a total of one hundred million dollars (\$100,000,000).

...”

Section 4.- Section 6 of Act No. 45 of April 18, 1935, as amended, is hereby amended, to read as follows:

“Section 6.-Organization of Worker’s Compensation Services; Administrator of the State Insurance Fund; Industrial Commission.-

I. Service Organizations.-

...

II. Means and Methods.-

...

(y) Finances; State Insurance Fund’s Budget.- The finances for the administration of this service shall be subject to the following rules:

The Office of the Administrator of the State Insurance Fund ...

All expenses incurred to carry out the work ...

The resulting differences between the sums spent annually by the Industrial Commission and the Office of the Administrator of the State Insurance Fund Corporation, and the total amount that said bodies may dispose of for their budget by virtue of this Section, with the exception of the remainders of medical expenses, shall be covered annually into a savings account that is separate and independent from its operating budget, which may be used for administrative and operating expenses. Said use shall be authorized for a term of two (2) years and the expenses thus covered shall not encumber budgets beyond such term. Once the two-year

term provided herein elapses, it may only be used for non-recurring items, in other words, expenses that shall not encumber future budgets. Provided, that for Fiscal Year 2015-2016, any balance in the savings and/or reserve accounts of the Industrial Commission shall be transferred to the ‘2015-2016 Legal Liability Fund.’ Specifically, not to be construed as an exhaustive list of the transfer provided herein, there is hereby directed the transfer of the balance in the accounts of the Department of the Treasury’s accounting system, whose numbers are: 1050000-575-780-2004, 1050000-575-780-2005, 1050000-575-780-2006, 1050000-575-780-2007, 1050000-575-780-2008, 1050000-575-780-2009, 1050000-575-780-2010, 1050000-575-780-2011, 1050000-575-780-2012, 1050000-575-780-2013, and 1050000-575-780-2014, the sum of which is estimated in nine million, seven hundred and thirteen thousand, three hundred and forty-eight dollars (\$9,713,348).”

Section 5.- Section 16 of Act No. 138 of June 26, 1968, as amended, is hereby amended, to read as follows:

“Section 16.- Financing

(1)...

(2)...

(3)...

(4)...

(5) Provided, that for Fiscal Year 2015-2016, the sum of five million dollars (\$5,000,000) shall be transferred from the Reserve Fund and/or any other account thus identified by the Automobile Accident Compensation Administration to the ‘Special Education Student’s Therapy and Service Fund,’ created by Act No. 73-2014.

(6) If on any ...”

Section 6.- Section 2 of Act No. 20 of April 9, 1976, as amended, is hereby amended, to read as follows:

“Section 2.-Use of Funds.-

The money so covered into the Fund...

Provided, further, that for Fiscal Year 2015-2016, the sum of twelve million dollars (\$12,000,000) in account number 0750000-238-081-1998 of the Department of the Treasury’s accounting system shall be transferred from this Fund to the ‘Special Education Student’s Therapy and Service Fund,’ created by Act No. 73-2014.”

Section 7.- Subsection (J) is hereby added to Section 16 of Act No. 41-2009, as amended, to read as follows:

“Section 16.-Proper Scrap Tire Management Fund

A. ...

B. ...

C. ...

D. ...

E. ...

F. ...

G. ...

H. ...

I. ...

J. Provided, further, that for Fiscal Year 2015-2016, the sum of nine million dollars (\$9,000,000) in account number 0140000-226-081-2012 of the Department of the Treasury’s accounting system and, the sum of eight hundred thousand dollars (\$800,000) available in account number 0240000-226-081-1998 of the Department of the Treasury’s accounting system shall be transferred from this Fund to the ‘2015-2016 Municipal Support Fund.’ Likewise, the sum of one

hundred and fifty thousand dollars (\$150,000) available in account number 0250000-226-781-2012 of the Department of the Treasury's accounting system shall be transferred to the 'Special Education Student's Therapy and Service Fund,' created by Act No. 73-2014."

Section 8.- Section 12 of Act No. 172-1996, as amended, better known as the "Act for the Proper Management of Used Oil in Puerto Rico" is hereby amended, to read as follows:

"Section 12.-Used Oil Collection and Management Fund.-

(1)...

(a) ...

(b) ...

(c) ...

(d) ...

(e) ...

(f) ...

(2)...

(3)...

(4)...

(5)...

(6)The Distribution of the Used Oil Collection and Management Fund as well as the Disposal and Environmental Protection Fee shall be revised by the Legislative Assembly every two (2) years using as a basis the recommendations of the report of the Administrative Board created by this Act. Provided, that notwithstanding the provisions of this Section, for Fiscal Year 2015-2016, the sum of three million, five hundred thousand dollars (\$3,500,000) in account number 0500000-226-782-1998 of the Department of the Treasury's accounting system; and the sum of one

million dollars (\$1,000,000) available in account number 0240000-226-882-1998 of the Department of the Treasury's accounting system shall be transferred from this Fund to the '2015-2016 Legal Liability Fund.'”

Section 9.- Section 3 of Act No. 268-2003, as amended, known as the “Puerto Rico Land Acquisition and Conservation Fund Act,” is hereby amended, to read as follows:

“Section 3.- Creation of the Fund

(1) The Fund for the Acquisition and Conservation of Land in Puerto Rico is created in the books of the Department of the Treasury, which shall be administered by the Department of Natural and Environmental Resources. The Secretary of the Treasury shall, in turn, open an account with the Government Development Bank for Puerto Rico, for the investment of this fund's monies for the Acquisition, Management and Preservation of Lands. The monies contributed to the fund shall be accounted for separately from any other funds under the custody of the Secretary of Treasury. It is hereby provided that the income of such Fund shall not be taken into account when determining the total annual income of the Government General Fund of the Commonwealth of Puerto Rico, and that the monies not used by this Fund in one Fiscal Year shall not revert to the General Fund. Provided, that, as an exception, for Fiscal Year 2015-2016, the sum of four million dollars (\$4,000,000) in account number 0500000-281-081-2004, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the '2015-2016 Legal Liability Fund.'”

Section 10.- Section 6 of Act No. 171-2014, is hereby amended, to read as follows:

“Section 6.- Creation of the Special Fund for the Puerto Rico Film Industry Development Program .-

The Secretary of the Treasury is hereby authorized to create the Special Fund for the Puerto Rico Film Industry Development Program, where the following shall be deposited:

(a) ...

(b) ...

(c) ...

(d) ...

(e) Any other revenues generated in accordance with the applicable legal provisions.

Provided, that the income of such fund shall not be taken into account in determining the total annual income of the General Fund of the Government of the Commonwealth of Puerto Rico.

Provided, further, that the monies available in the Puerto Rico Motion Picture Arts, Sciences, and Industry Development Industry Development Fund created under Section 7.01 of Act No. 121-2001, as amended, shall be transferred to the new Fund created by this Act. In addition, it is hereby provided that the monies not used by the Program in any given Fiscal Year shall not revert to the General Fund. Provided, that notwithstanding the provisions of this Section, for Fiscal Year 2015-2016, the sum of two million dollars (\$2,000,000) in account number 23400000-248-081-2002 or in any other created for such purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the '2015-2016 Legal Liability Fund.'”

Section 11.- Section 14 of Act No. 20-2012, as amended, is hereby amended, to read as follows:

“Section 14.-Special Fund for the Development of Services for Export and Promotion.-

In General. – The Secretary of the Treasury shall establish a special fund, known as the “Special Fund for the Development of Services for Export and Promotion” (“Special Fund”). During the effectiveness of this Act, ten percent (10%) of the revenues arising from the income tax paid by eligible businesses that hold a decree under this Act shall be covered into said fund. The Special Fund for Economic Development of Act No. 73-2008 shall contribute the amount of five (5) million for the Fiscal Year in which this Act is approved, and five (5) million for the following Fiscal Year.

The monies of the Special Fund established herein shall be managed by the Secretary and shall be used exclusively for the following purposes:

(a) ...

(b)...

(c) ...

(d)...

(e) ...

(f) ...

(g) Defray the costs associated with the campaigns directed to promote in the United States and at the international level the incentives and activities of the International Insurance Center of Puerto Rico, created by Act No. 399-2004, as amended, and the International Financial Center created by Act No. 273-2012, as amended, known as the ‘International Financial Center Regulatory Act.’

The Secretary, with the advice of the Executive Director, shall establish through regulations the terms, conditions, eligibility, and criteria to be used in the

disbursement of money from the Special Fund. The disbursement of monies from the Special Fund shall be subject to the approval of the Executive Director and its Board of Directors.

Provided that, notwithstanding the provisions of this Section, for Fiscal Year 2015-2016, the sum of one million dollars (\$1,000,000) in account number 1190000-237-081-2012, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the '2015-2016 Legal Liability Fund.'”

Section 12.- Subsection (d) of Section 417 of Act No. 60 of June 18, 1963, as amended, known as the “Uniform Securities Act,” is hereby amended, to read as follows:

“Section 417.- Special Fund.-

(a) ...

(b) ...

(c) ...

(d) Temporary Provision. For the purpose of contributing towards defraying the operating expenses of the Cooperative Development Commission (COOPDC) of the Government of Puerto Rico, the Office of the Commissioner of Financial Institutions (OCFI) shall allocate two million dollars (\$2,000,000) annually during fiscal years 2011-2012 and 2012-2013 from the funds generated under the provisions of Section 417, known as the “Fund for Investor and Consumer Education in Relation with the Financial System and for the Training of the Personnel of the Office of the Financial Institutions Commissioner,” of Act No. 24 of June 2, 2009, as amended. Said annual allocation shall be transferred to the Secretary of the Treasury who shall create and keep a special account in favor of the COOPDC to defray its operating expenses during fiscal years 2011-2012 and 2012-2013. The Secretary of the Treasury shall promptly promulgate regulations to

provide the mechanisms for COOPDC to access such funds. Once the aforementioned particular purpose has concluded and been accomplished, the allocation from the Office of the Commissioner of Financial Institutions to said special account shall cease on July 1, 2013. Provided, that, for Fiscal Year 2014-2015, the sum of four million, eight hundred and fifty thousand dollars (\$4,850,000) shall be transferred from the ‘Fund for Investor and Consumer Education in Relation with the Financial System and for the Training of the Personnel of the Office of the Financial Institutions Commissioner,’ created in this Section to the ‘Legal Liability Fund.’ Likewise, for Fiscal Year 2015-2016, the sum of two million, five hundred thousand dollars (\$2,500,000) in account number 0750000-238-780-1998, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be transferred from said Fund to the ‘Special Education Student’s Therapy and Service Fund,’ created by Act No. 73-2014.”

Section 13.- Subsection (e) of Section 12 of Act No. 136 of June 3, 1976, as amended, known as the “Act for the Conservation, Development and Use of the Water Resources of Puerto Rico” is hereby amended, to read as follows:

“Section 12.- Fees

(a) ...

(b) ...

(c) ...

(d) ...

(e) The funds corresponding to the collection of the fees provided in this Section shall be deposited in a special account in the Department of the Treasury, known as the Water Fund, in favor of the Department of Natural and Environmental Resources. Provided, that, for Fiscal Year 2014-2015, two hundred thousand dollars (\$200,000) shall be transferred from this Fund to the ‘Legal

Liability Fund.’ Provided, further, that for Fiscal Year 2015-2016, the sum of eight hundred thousand dollars (\$800,000) in account number 0500000-243-881-1998, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be transferred from this Fund to the ‘2015-2016 Legal Liability Fund.’

(f) ...

...”

Section 14.- Section 5 of Act No. 15 of July 20, 1990, as amended, is hereby amended, to read as follows:

“Section 5.- As of the effective date of this Act, the funds collected as fees for handling requests shall be accounted separately from any other funds received by the Department of the Treasury. Said funds shall be used by the Secretary of the Treasury to develop the necessary systems and procedures and for programming and acquiring the computer equipment needed to expedite the handling of requests by the administrative units of the Department of the Treasury in charge thereof.

Prior to using said funds, the Secretary of the Treasury shall annually submit, for the approval of the Office of Management and Budget, a budget of expenses chargeable thereto. The remainder of said funds that, by June 30 of each fiscal year has not been used or encumbered, shall be transferred to the General Fund of the Commonwealth of Puerto Rico. Provided, that, for Fiscal Year 2015-2016, the sum of six million dollars (\$6,000,000) in account number 0240000-245-081-1998, the sum of two million dollars (\$2,000,000) in account number 0240000-245-882-1998, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be transferred from this Fund to the ‘2015-2016 Legal Liability Fund.’”

Section 15.- Section 4 of Act No. 47 of June 4, 1982, as amended, is hereby amended, to read as follows:

“Section 4.- Legal Aid Society Stamp - Sale and Handling.

(a) The Secretary of the Treasury is hereby directed to sell the stamps adopted and issued by the Legal Aid Society or by the Secretary of the Treasury, pursuant to law, authorized under Act No. 11 of April 12, 1917, as amended, by electronic means, through vending machines at the internal revenue collection offices of the Commonwealth, or through agents, or by any other means that the Secretary of the Treasury provides through regulations. The Secretary of the Treasury shall withhold five percent (5%) of the revenues generated by the sale of the stamp to defray administrative costs incurred in the sale thereof. The sum thus withheld shall be covered into the General Fund. Provided, that, the Secretary of the Treasury shall transfer to the Legal Aid Society each month the amounts to which it is legally entitled for the sale of the aforementioned stamp. Provided, that, of the five percent (5%) withheld by the Secretary of the Treasury, the sum of three million dollars (\$3,000,000) in account number 0240000-245-779-2005, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be transferred to the ‘2015-2016 Municipal Support Fund.’

(b) ...

(c) ...

(d) ...”

Section 16.- Section 2.03 of Act No. 404-2000, as amended, known as the “Puerto Rico Weapons Act,” is hereby amended, to read as follows:

“Section 2.03.– Transfer of Funds

The Department is hereby directed to transfer to the Superintendent...

Moreover, for Fiscal Year 2015-2016, the sum of one million, four hundred and eighteen thousand, seven hundred and fifty-four dollars (\$1,418,754) in account number 0400000-253-081-2002, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be

transferred from the resources of this Special Fund to the ‘2015-2016 Legal Liability Fund.’”

Section 17.- Section 17 of Act No. 8 of August 5, 1987, as amended, known as the “Act for the Protection of Vehicular Property,” is hereby amended, to read as follows:

“Section 17.- Powers of the Puerto Rico Police.-

For the ends and purposes of this Act, and without impairing the powers and authority conferred to the Puerto Rico Police through other legislation, said Body, or any of its members are hereby empowered to:

(1)...

(2)...

(3) Seize any vehicle, part, or junk reported as unlawfully taken, stolen, missing, destroyed, or exported, and the driver, owner or person claiming to be the owner is unable to furnish proof of ownership, in accordance with Act No. 119-2011, as amended, known as the ‘Uniform Forfeiture Act of 2011,’ except that the notice of seizure to the person or persons with any interest in the seized vehicle shall be sent within twenty (20) days counted from the time the property was seized; provided, that in the case of unlawfully taken, stolen, or missing vehicles, parts, or junk, the actual owner, if determined after a reasonable effort has been made to locate him/her, shall be notified; provided, further, that should a person claim the property and ownership is duly justified, the seizure shall be rendered ineffective and, the property shall be returned to the owner once the property is no longer needed for the criminal proceeding.

(4) Inspect any vehicle purchased at public auction, those that reflect a notation of lien for theft, destruction, total constructive loss and abandonment and those classified as salvage. There shall be established through regulations, in coordination with the Department of the Treasury, both the charges to be collected

for these inspections as well as for issuing the corresponding certificate. The funds to be collected for this purpose shall be covered into two special funds, separate and distinct from any other money or fund belonging to the Commonwealth of Puerto Rico. These funds shall be in custody of the Secretary of the Treasury. From the resources obtained through the collection of these inspections, fifty percent (50%) of the sum shall be covered into a Special Fund in the Department of the Treasury for the exclusive use of the Stolen Vehicles Investigation Bureau of the Puerto Rico Police to acquire equipment and to contract and train its personnel. Provided, that, for Fiscal Year 2015-2016, the sum of one million, five hundred thousand dollars (\$1,500,000) in account number 0400000-253-780-1999, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from the resources of this Special Fund to the 'Special Education Student's Therapy and Service Fund,' created by Act No. 73-2014. The remaining fifty (50) percent shall be, in turn, destined for the improvement and development of the operations and programs of the Motor Vehicles Area of the Department of Transportation and Public Works.

Provided, that the Department of Transportation and Public Works...

(5)...

(6)..."

Section 18.- Section 1 of Act No. 237-1996, as amended, is hereby amended, to read as follows:

“Section 1.- “Section 1.- Agricultural Markets Inspection Office; Special Fund

A special fund is hereby created...

There shall be covered in this Fund...

All the monies...

Provided, that,...

Provided, further, that for Fiscal Year 2015-2016, the sum one million dollars (\$1,000,000) in account number 0550000-229-779-2004, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the 'Special Education Student's Therapy and Service Fund,' created by Act No. 73-2014."

Section 19.- Subsection (q) of Section 23.05 of Act No. 22-2000, as amended, is hereby amended, to read as follows:

"Section 2.17.-Issuance and Use of Motor Vehicle, Trailer, or Semi-trailer License Plates.-

The Secretary shall issue, along with the motor vehicle, trailer or semi-trailer permit, the corresponding license plates, in the following cases:

- (a) ...
- (b) ...
- (c) ...
- (d) ...

The Secretary shall contract...

Provided, further, that for Fiscal Year 2015-2016, the sum of one million dollars (\$1,000,000) in account number 0490000-299-792-2001, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the 'Special Education Student's Therapy and Service Fund,' created by Act No. 73-2014."

Section 20.- Subsection (e) is hereby added to Section 8 of Act No. 74-2006, as amended, known as the "Puerto Rico Compulsive Gamblers Assistance Program Act," to read as follows:

"Section 8.- Appropriation of Funds

The necessary funds to achieve the purposes of this Act shall originate annually from the following sources:

(a) ...

(b) ...

(c) ...

(d) ...

(e) Provided, that, for Fiscal Year 2015-2016, the sum of one million dollars (\$1,000,000) from previous year's balances in account number 0950000-297-081-2008, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the 'Special Education Student's Therapy and Service Fund,' created by Act No. 73-2014."

Section 21.-Subsection (a)(2) of Section 3 of Act No. 52 of August 11, 1989, as amended, known as the "International Banking Center Regulatory Act," is hereby amended, to read as follows:

"Section 3.- Authority and Duties of the Commissioner.-

(a) The Commissioner shall:

(1)...

(2)Collect fees for examinations and audits, receive monies and make disbursements according to its budget or as otherwise provided by law or regulations; provided, that, for Fiscal Year 2015-2016, of the funds collected on this account or any other in accordance with this Act, the sum of two million, seven hundred thousand dollars (\$2,700,000) in account number 0750000-238-779-1998, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred to the '2015-2016 Legal Liability Fund.'

(3)...

(4)...

(5)...

- (6)...
- (7)...
- (8)...
- (9)...
- (10) ...
- (11) ...
- (12) ...

- (b) ...
- (c) ...
- (d) ...”

Section 22.- Section 17.03 of Act No. 164-2009, as amended, known as the “General Corporations Act,” is hereby amended, to read as follows:

“Section 17.03.- Distribution of Funds Generated by Fees Payable, Special Account of the Department of State and General Fund.-

Until June 30, 2016 ...

After June 30, 2016 ...

Provided, that, notwithstanding the provisions of this Section, for Fiscal Year 2015-2016, the sum of two million dollars (\$2,000,000) in account number 0230000-245-081-2010, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be transferred from this special account to the ‘Special Education Student’s Therapy and Service Fund,’ created by Act No. 73-2014.”

Section 23.- Subsection (a) Section 17 of Act No. 73-2008, as amended, is hereby amended, to read as follows:

“Section 17.- Special Economic Development Fund.-

In General.—

(a) The Secretary of the Treasury shall establish a special fund, to be denominated ‘Special Economic Development Fund,’ into which five percent (5%) of the amounts collected from the income tax paid by businesses exempted under this Act or under preceding tax incentives laws in relation to industrial development income, as well as the amounts collected from the payment of withheld taxes concerning royalties relative to operations exempted under this Act or under preceding tax incentives laws, shall be covered during the first four (4) years of effectiveness of this Act. Starting on the fifth year of effectiveness of this Act, seven point five percent (7.5%) of the items provided for above in lieu of five percent (5%) provided for the initial four (4)-year period. Provided, as an exception, that for Fiscal Year 2015-2016, four percent (4%) of the items provided for above shall be covered into the fund and three point five percent (3.5%) shall be transferred to the 2015-2016 Legal Liability Fund. If the total amount of this last transfer does not exceed fourteen million, two hundred and sixty-three thousand, two hundred dollars (\$14,263,200), the Director of the Office of Management and Budget shall make the corresponding adjustments in the appropriations to be payable from the 2015-2016 Legal Liability Fund. If said sum exceeds fourteen million, two hundred and sixty-three thousand, two hundred dollars (\$14,263,200), such excess shall be covered into the General Fund. Provided, further, that starting on the ninth year of the effectiveness of this Act, ten percent (10%) of the items provided for above shall be covered into the fund, in lieu of seven point five percent (7.5%) as provided above.

The monies of...

(1)...

(b) ...”

Section 24.-Subsection (a)(1) of Section 2.2 of Act No. 83-2010, as amended, known as the “Green Energy Incentives Act of Puerto Rico,” is hereby amended, to read as follows:

“Section 2.2.- Green Energy Fund Creation; Special Deposit.-

(a) A special fund is hereby created and established to be denominated the Green Energy Fund of Puerto Rico, separate from the General Fund of the Government of Puerto Rico. The Department of the Treasury shall establish said fund as a special fund, separate from other government funds, as provided hereinbelow:

(1) Starting on Fiscal Year 2011-2012,...

In the event that the collections of such excise taxes are insufficient to cover the amounts herein appropriated, there shall be no debt, obligation, commitment whatsoever with public entities or third parties due to the partial or total omission of sufficient resources to cover the same. Provided, that for Fiscal Year 2014-2015, the sum of four million, five hundred thousand dollars (\$4,500,000) of the balance available in this Fund as of the date of the approval of this Act shall be transferred to the ‘Legal Liability Fund.’ Provided, further, that for Fiscal Year 2015-2016, the sum of five million dollars (\$5,000,000) in account number 1320000-274-081-2011, or in any other created for the same purposes in the Department of the Treasury’s accounting system shall be transferred from this Fund to the ‘2015-2016 Legal Liability Fund.’

(2)...

...”

Section 25.- Section 29 of Act No. 53-1996, as amended, known as the “Puerto Rico Police Act of 1996” is hereby amended, to read as follows:

“Section 29.- Contracting of Police Services.-

The Superintendent may enter into contracts...

The funds needed to...

The funds received on this account...

These funds shall be accounted regardless of any specific fiscal year and shall be governed by the rules and regulations adopted by the Superintendent in consultation with the Secretary of the Treasury and in harmony with the provisions in effect for the administration of similar funds. Expenses of these funds must be closely related to the application of this Section. Said funds may be transferred to the corresponding items of the operating budget of the Police in any fiscal year. Likewise, expenses may be transferred according to the budgetary needs for said year, and only if they are closely related to the operations subject to this Section. Provided, that, notwithstanding the provisions of this Section, for Fiscal Year 2015-2016, the sum of one million dollars (\$1,000,000) in account number 0400000-253-081-1998, or in any other created for the same purposes in the Department of the Treasury's accounting system shall be transferred from this Fund to the '2015-2016 Legal Liability Fund.'

Those enterprises that sponsor nonprofit shows and shows produced especially for children shall be exempted from paying for the use of police officers."

Section 26.-The transfer of the following amounts available in the Department of the Treasury's accounting system to the "2015-2016 Legal Liability Fund" is hereby directed, to wit: one million, seven hundred thousand dollars (\$1,700,000) available in account number 0820000-232-081-2010, described as "2009-2010 Budget"; five million, one hundred and fifty-five thousand, six hundred ninety-eight dollars (\$5,155,698) in account number 1270000-245-081-2014, described as "Inventory of Bank Accounts"; three million dollars available

in account number 0710000-297-780-2000, described as “Certificates of Necessity and Convenience.”

Section 27.- The transfers provided in this Act shall be made on or before five (5) calendar years have elapsed from the approval of this Act; except for that provided in Section 3, which shall be divided in two (2) fifty-million dollar (\$50,000,000)-installments; the first one shall be made on or before November 1, 2015 and the second one shall be made on or before March 1, 2016; and that provided in Section 5, which shall be made on or before December 1, 2015.

Section 28.- The Director of the Office of Management and Budget may transfer fund between the items provided in the Funds created in Sections 1 and 2 of this Act. The Office of Management and Budget shall file a report with the Office of the Clerk of the House and the Office of the Secretary of the Senate, on or before the fifth business day of each month, which shall include an itemization of the transfers made during the preceding month as provided herein.

Section 29.- If any clause, paragraph, subparagraph, article, provision, section or part of this Act were held to be unconstitutional by a court with jurisdiction, said holding shall not affect, impair or invalidate the remaining provisions of this Act. The effect of said holding shall be limited to the clause, paragraph, subparagraph, article, provision, section or part thereof thus held to be unconstitutional.

Section 30.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 105-2015 (H.B. 2487) (Conference)** of the **5th Regular Session** of the **17th Legislative Assembly of Puerto Rico**:

AN ACT create the “2015-2016 Municipal Support Fund” and define the uses thereof; create the “2015-2016 Legal Liability Fund” and define the uses thereof; amend Section 13 of Act No. 45 of April 18, 1935, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of fifty-five million four hundred and thirty thousand dollars (\$55,430,000) to the “2015-2016 Municipal Support Fund”; the sum of thirty-one million nine hundred forty-nine thousand dollars (\$31,949,000) to the “2015-2016 Legal Liability Fund”; and the sum of twelve million six hundred twenty-one thousand dollars (\$12,621,000) to the “Special Education Student’s Therapy and Service Fund,” created by Act No. 73-2014, all from the Reserve Fund and/or any other source thus identified by the State Insurance Fund

Corporation; amend Section 6 of Act No. 45 of April 18, 1935, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of nine million seven hundred thirteen thousand three hundred and forty-eight dollars (\$9,713,348) from the identified savings and/or reserve accounts of the Industrial Commission to the "2015-2016 Legal Liability Fund"; amend Section 16 of Act No. 138 of June 26, 1968, as amended, to provide for the transfer, on Fiscal Year 2015-2016, of five million dollars (\$5,000,000) from the Reserve Fund and/or any other account identified by the Automobile Accident Compensation Administration to the "Special Education Student's Therapy and Service Fund," created by Act No. 73-2014; [...]

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

In San Juan, Puerto Rico, on this 24th day of July, 2015.

Juan Luis Martínez Martínez
Acting Director