

(H.B. 872)

(No. 117)

(Approved September 23, 2005)

## **AN ACT**

To authorize granting the benefit of scholarships for paying the tuition of any institution of higher learning duly accredited by recognized accrediting agencies and for purchasing textbooks, to the offspring of deceased correction and youth services officials or who have been totally disabled while in the performance of their official duties, of up to the age of twenty-five and to the surviving spouse while he/she remains unmarried, provided they meet the requirements for admission and academic progress of said institutions and to authorize the Secretary of the Department of Correction and Rehabilitation to adopt the regulations needed to enforce this Act.

### **STATEMENT OF MOTIVES**

The correctional system of the Commonwealth of Puerto Rico requires a contingent of trained officials who effectively respond to the needs and demands of a penal population that requires highly trained personnel in the proper management of inmates and whose purpose is to ensure the safety and stability of the system.

It is necessary to broaden the educational opportunities given to the offspring and the surviving spouses of correction and youth services officials when they have lost their lives while in the performance of their duties, or because of health conditions or due to work-related accidents. This opportunity should also be extended in the case of those officials who when

being off-duty loose their lives as a consequence of their intervention to maintain the public order.

Even though there is no material compensation that would offset the loss of life of a human being it is an unavoidable duty of the government to seek alternatives that broaden the benefits available to the dependents of officials who die while fulfilling the mission of protecting the lives and the safety of our penal population.

The purpose of this legislation is to somehow compensate for the loss of income when one of the parents dies or is totally disabled, as well as to provide an incentive to allow the offspring and surviving spouse of these officials to pursue studies at higher education institutions duly accredited by recognized accrediting agencies.

The Legislature of Puerto Rico deems it necessary to authorize granting the benefit of scholarships for paying the tuition of any institution of higher learning to the offspring of deceased correction and youth services officials or who have been totally disabled while in the performance of their official duties of up to the age of twenty-five (25) and to the surviving spouse while he/she remains unmarried. Likewise, the scholarships for paying the tuition of these educational institutions and the corresponding purchase of textbooks shall apply when the correction or youth services official dies or is totally disabled because of health conditions or due to work-related accidents while in the performance of his/her duties and when being off-duty he/she loose his/her life as a consequence of his/her intervention to maintain the public order. These scholarships for the payment of the tuition and the purchase of textbooks shall be granted provided the requirements of admission and progress criteria of the academic institution are met.

This measure authorizes the Secretary of Correction and Rehabilitation to adopt the regulations needed to enforce this Act. This Act arises as a result of the commitments made by this Parliamentary Majority and which were also supported by the people with their vote this past month of November, 2004.

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

Section 1.-The granting of the benefit of scholarships for paying the tuition of any institution of higher learning duly accredited by recognized accrediting agencies and for purchasing textbooks, to the offspring of deceased correction and youth services officials or who have been totally disabled while in the performance of their official duties, until they reach the age of twenty-five (25) and to the surviving spouse while he/she remains unmarried, provided they meet the requirements for admission and academic progress of said institutions, is hereby authorized.

Section 2.-The definition of deceased or totally disabled shall apply to those correction and youth services officials who die or are totally disabled while the performance of their official duties or because of health conditions or due to work-related accidents while in the performance of their duties or when being off-duty they loose their life or are totally disabled as a consequence of their intervention to prevent the commission of criminal activities.

Section 3.-The extent of the scholarships for paying the tuition and for purchasing textbooks shall be limited to a maximum term of six (6) years in a full time study program for obtaining a bachelor's degree or to the maximum term required by the institution for obtaining said academic degree on a part time basis, according to the provisions of Section 1.

Section 4.-The scholarships shall be exclusively granted to pay the tuition and purchase textbooks, and thus they do not apply to any other obligation with the academic institution. The scholarships shall be granted for any academic term, including summer sessions and shall not exceed a maximum of four thousand (4,000) dollars per year.

Section 5.-Students deserving of these scholarships shall have to meet the admission requirements and policies of the educational institution.

Section 6.-The scholarships granted to pay the tuition and to purchase textbooks shall be bestowed in addition to the compensations and benefits that may be granted by other Commonwealth and Federal laws.

Section 7.-Total disability shall be defined as it is defined by the Puerto Rico State Insurance Fund.

Section 8.-The Secretary of Correction and Rehabilitation of the Commonwealth of Puerto Rico is hereby directed to promulgate the regulations needed to enforce the provisions of this Act within a term of not more than ninety (90) days after its approval.

Section 9.-The Secretary of Correction and Rehabilitation of the Commonwealth of Puerto Rico is hereby directed to contribute funds from the annual budget of his/her agency and take steps to obtain matching funds from any municipal, Commonwealth or Federal institution for the payment of the scholarships herein established.

Section 10.-The Secretary of Correction and Rehabilitation of the Commonwealth of Puerto Rico is hereby authorized to create a special account duly regulated to receive private donations to economically strengthen the scholarships fund.

Section 11.-This Act shall take effect July 1, 2006.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 117 (H.B. 872) of the 2<sup>nd</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to authorize granting the benefit of scholarships for paying the tuition of any institution of higher learning duly accredited by recognized accrediting agencies and for purchasing textbooks, to the offspring of deceased correction and youth services officials or who have been totally disabled while in the performance of their official duties, of up to the age of twenty-five and to the surviving spouse while he/she remains unmarried, provided they meet the requirements for admission and academic progress of said institutions and to authorize the Secretary of the Department of Correction and Rehabilitation to adopt the regulations needed to enforce this Act,

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

In San Juan, Puerto Rico, today 6<sup>th</sup> of February of 2006.

Francisco J. Domenech  
Director