

(H. B. 1895)

(No. 86)

(Approved May 13, 2006)

AN ACT

To direct the Office of Management and Budget (OMB) to conduct a study on the feasibility of developing and implementing a Certification Information System in order for government agencies to be able to process and access information under the custody of other government agencies and to facilitate the obtainment of the certifications defined in this Act, required by natural and juridical persons to conduct government transactions, and for other related purposes.

STATEMENT OF MOTIVES

This legislation seeks to elevate to the rank of law the creation of an Interagency Certification Information System, in order for a government agency to have, through this system, access to information in possession and under the custody of other agencies and thus facilitate the exchange of information between agencies. In this manner, the effective communication that should exist between administrative agencies is expedited so as to minimize errors or prevent systems from reflecting non-existing debts.

The Office of Management and Budget, pursuant to Act No. 151 of June 22, 2004, better known as the “Electronic Government Act,” has the duty to develop, promote, procure, and direct interagency-wide technological projects that promote betterment in government operations and the broadening of the range of the services offered to citizens and entrepreneurs. Attune with this public policy, the Legislature proposes that

the Office of Management and Budget be directed to conduct a study on the feasibility of developing and implementing a Certification Information System in order for government agencies to be able to process and access information under the custody of other government agencies.

This measure also aims to expedite the obtainment of the certifications that both natural and juridical persons need and are requested to present in order to conduct multiple government transactions.

For this reason, the Legislature of Puerto Rico is committed to boost the economic development of the Island, by providing the central government with effective mechanisms to expedite the diverse government transactions concerning the issue of certifications.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.—The Office of Management and Budget, pursuant to Act No. 151 of June 22, 2004, better known as the “Electronic Government Act,” has the duty to develop, promote, procure, and direct interagency-wide technological projects that promote betterment in government operations and the broadening of the range of the services offered to citizens and entrepreneurs. Attune with this public policy, the Legislature hereby directs the Office of Management and Budget to develop a study on the feasibility of developing and implementing a Certification Information System in order for government agencies to be able to process and access information under the custody of other government agencies and to expedite the obtainment of the certifications that both natural and juridical persons need and are requested to present in order to conduct multiple government transactions.

The Legislature authorizes the OMB to evaluate whether it is feasible for agencies to have access to the following certifications: the Criminal History Certification issued by the Puerto Rico Police; the No Debt or Debt

or Payment Plan Evincing Certification issued by the Child Support Administration; and the No Debt or Income Tax Debt and/or Payment Plan Evincing and Tax Return Filing Certifications issued by the Department of the Treasury. The OMB may also recommend to the Legislature any other kind of certification it believes should be accessible between agencies through the system to be developed.

The Office of Management and Budget shall present to the Legislature a proposal for the plan design and development to establish a uniform Certification Information System for the agencies, in order for these to be able to process and access information under the custody of other agencies and to facilitate the obtainment of certifications to conduct government transactions, thus broadening the range of the services offered to citizens and entrepreneurs.

The OMB shall also render a report on the fiscal impact or the appropriation of funds in association with the development, implementation and offering of the interagency Certification Information System, as well as the costs in association with technology infrastructure, programs, and technical resources.

The Office of Management and Budget shall coordinate, evaluate, and design with government agencies offering these services, all the changes necessary at electronic information system facilities in order to allow for the effective communication between government agency databanks. Likewise, the OMB shall coordinate with the agencies the use of funds available in each to comply with the provisions of this Act.

In addition, pursuant to Act No. 151, *supra*, the Office of Management and Budget shall evaluate and establish protocols in coordination with the agencies that have confidential information under their

custody, in order to establish the necessary safeguards and controls against the non-authorized use or the undue disclosure of the information to prevent the commission of crimes.

Before its implementation, there are aspects which shall be worked on, such as matters concerning access, communication and transmission of data between agencies, which shall require the use of protocols that provide confidentiality, integrity, and security for the agencies under whose custody the data is. The form, place and manner of accessing the information requested shall be taken into account. In addition, the OMB shall evaluate and present recommendations as to the time necessary for implementing the Certification Information System in all agencies.

The Office of Management and Budget shall comply with the provisions of this Act within a term of one year as of the date of approval of this Act.

Section 2.—The Director of the Office of Management and Budget shall adopt any norm, rule or regulation necessary to fulfill the purposes of this Act.

Section 3.—This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 86 (H.B. 1895) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to direct the Office of Management and Budget (OMB) to conduct a study on the feasibility of developing and implementing a Certification Information System in order for government agencies to be able to process and access information under the custody of other government agencies and to facilitate the obtainment of the certifications defined in this Act, required by natural and juridical persons to conduct government transactions, and for other related purposes,

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

In San Juan, Puerto Rico, today 22nd of May of 2006.

Francisco J. Domenech
Director