

(H. B. 2362)

(No. 202)

(Approved September 21, 2006)

AN ACT

To amend clause (2) subsection (g) of Section 17 of Act No. 2 of February 23, 1988, as amended, to extend the cause for dismissal from office for participating in political-partisan activities to the members of the Special Independent Prosecutor's Panel.

STATEMENT OF MOTIVES

Transparency in our justice system must be one of the most important objectives of the Government. Seeking to restore our country's trust in our institutions and in the persons who work in the public service, Act No. 2 of February 23, 1988, as amended, provides that it shall be cause for dismissal of a Special Independent Prosecutor to participate in political activities and campaigns, to hold a position in a political party or organization, to directly or indirectly make monetary contributions to candidates, organizations or political parties, to participate in meetings, committees, boards or other political activities, and to endorse public statements or declarations about matters of a political nature, among others.

The duty of the Special Independent Prosecutor to investigate and prosecute government officials is complemented by the duties performed by the Special Independent Prosecutor's Panel. However the prohibition on participating in political activities set forth in Act No. 2, supra, does not prohibit the members of the panel from participating in such activities. The

duties of the members of the Special Independent Prosecutor's Panel should also be free from receiving or exercising unlawful political influences.

This Legislature deems that the prohibition to participate in political-partisan activities should be extended to the members of the Special Independent Prosecutor's Panel in order to restore security, certainty and trust in government officials and employees to our people. This measure unequivocally manifests the hope of the Puerto Rican people for what public service in our country should be.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Clause (2) subsection (g) of Section 17 of Act No. 2 of February 23, 1988, as amended, is hereby amended to read as follows:

“Section 17.- Special Independent Prosecutor's Panel – Dismissal from Office; Causes and Procedures

- (1) The Special Prosecutor and the members of the Panel may be dismissed from office only for the following reasons:
 - (a) . . .
- (2) The Special Prosecutor and the members of the Panel may be dismissed from office for participating in political activities, including the following:
 - (a) Participate actively in political campaigns.
 - (b) . . .
 - (c) . . .
 - (d) . . .
 - (e) . . .
 - (f) . . .

(g) The Special Prosecutor and the members of the Panel shall not use their positions to advance personal political agendas.

(3) . . .”

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. 202 (H.B. 2362) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend clause (2) subsection (g) of Section 17 of Act No. 2 of February 23, 1988, as amended, to extend the cause for dismissal from office for participating in political-partisan activities to the members of the Special Independent Prosecutor's Panel,

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

In San Juan, Puerto Rico, today 27th of June of 2007.

Francisco J. Domenech
Director