

(H. B. 2467)
(Reconsidered)

(No. 256)

(Approved November 30, 2006)

AN ACT

To amend Section 19 of Act No. 230 of July 23, 1974, as amended, known as the “Puerto Rico Government Accounting Act” in order to adjust the same to Act No. 149 of June 18, 2004, known as the “Penal Code of the Commonwealth of Puerto Rico.”

STATEMENT OF MOTIVES

This bill has the purpose of amending Section 19 of Act No. 230 of July 23, 1974, as amended, in order to conform the penalty provided therein to the new “Penal Code of the Commonwealth of Puerto Rico,” Act No. 149 of June 18, 2004, as amended.

Public officials have the duty to act according to the highest ethical and moral principles of honesty, justice, objectivity and efficiency, so that their conduct neither discredits the Agency for which they work nor the Government. In addition, they shall maintain and ensure the trust of the people in the Government through their actions, decisions made and treatment given to any person.

With the approval of the new “Penal Code of the Commonwealth of Puerto Rico” through Act No. 149, *supra*, we are compelled to adjust the penalties so that these apply with the same rigorousness as they would apply to or penalize any offender who breaks penal laws.

Therefore, it is necessary to conform the penalties for crimes against public administration, because those who hold a public office must be punished with the same rigorousness as any offender who breaks penal laws.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 19 of Act No. 230 of July 23, 1974, as amended, is hereby amended to read as follows:

“Section 19.-

Any person who, knowingly or willfully, violates Sections 1 through 19 of this Act or any rule, proceeding or system promulgated by the Secretary, the Speaker of the House or the President of the Senate, by virtue thereof, shall incur in misdemeanor and upon conviction shall be punished by an individual fine that shall not exceed five thousand (5,000) dollars or imprisonment for a term of not more than ninety (90) days. Provided, that in the event of a violation of subsection (f) of Section 12 of this Act, there shall be imposed a penalty of restitution to the public official or employee convicted, which shall consist of the payment of an amount equivalent to twice the amount he/she would have obtained for his/her personal benefit.”

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. 256 (H.B. 2467) (Reconsidered) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 19 of Act No. 230 of July 23, 1974, as amended, known as the “Puerto Rico Government Accounting Act” in order to adjust the same to Act No. 149 of June 18, 2004, known as the “Penal Code of the Commonwealth of Puerto Rico”,

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

In San Juan, Puerto Rico, today 16th of August of 2007.

Francisco J. Domenech
Director