

(H. B. 2637)

**(No. 303)**

(Approved December 26, 2006)

## **AN ACT**

To add a Section 14-A to Act No. 203 of August 7, 2004, as amended, known as the “Office of the Advocate for the Elderly Act,” in order to create a Special Fund within the Office of the Advocate into which the money collected for administrative fines imposed for actions or omissions against the rights of the elderly shall be covered.

## **STATEMENT OF MOTIVES**

At present, the Office of the Advocate for the Elderly has the authority to impose sanctions for actions or omissions against the rights of the elderly under the Constitution of the United States of America, the Constitution of the Commonwealth of Puerto Rico, and the laws of the Commonwealth of Puerto Rico, and it may fix the compensation for damages caused in those cases that so do warrant. For these purposes, it may impose and collect administrative fines up to a maximum of ten thousand (10,000) dollars.

However, in spite of having such authority and more than enough responsibilities, this Office operates with a budget that does not allow it to have the personnel and equipment needed to operate efficiently and effectively. Certainly, a titanic task is performed, but it is always essential to have the resources needed to operate free from limitations, even more so at this time, when Puerto Rico is facing a fiscal crisis.

Pursuant to the aforementioned, it is necessary to provide the figure of the Advocate for the Elderly with the resources that shall allow him/her to more accurately oversee compliance with the public policy established in Act No. 203,

supra, watch over the rights of the elderly, and ensure that the public agencies adopt and comply with affirmative or corrective action programs, promote that the private entities incorporate the same, as well as evaluate already existing programs in order to achieve the integration of the elderly, and bring about their participation, among other duties.

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

Section 1.- Section 14-A is hereby added to Act No. 203 of August 7, 2004, as amended, to read as follows:

“Section 14-A.- Special Fund

The money collected from the administrative fines imposed by virtue of this Act or regulations derived from the same or omissions against the rights of the elderly shall be covered into the Special Fund under the responsibility of the Office of the Advocate, without being subject to the public policy contained in Act No. 230 of July 23, 1974, as amended, known as the “Puerto Rico Government Accounting Act.” In addition to the annual budget appropriations that said entity shall continue to receive, the money covered into the Fund may be used to defray part of the operating, fiscal and administrative expenses of the Office of the Advocate. At the closing of each fiscal year, the Office of the Advocate shall submit a comprehensive and detailed report on the use made of the income collected from the fines imposed to the Legislature of Puerto Rico.”

Section 2.- This Act shall take effect on July 1, 2006.

## **CERTIFICATION**

I hereby certify to the Secretary of State that the following Act No. 303 (H.B. 2637) of the 4<sup>th</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to add a Section 14-A to Act No. 203 of August 7, 2004, as amended, known as the “Office of the Advocate for the Elderly Act,” in order to create a Special Fund within the Office of the Advocate into which the money collected for administrative fines imposed for actions or omissions against the rights of the elderly shall be covered,

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

In San Juan, Puerto Rico, today 17<sup>th</sup> of April of 2007.

Francisco J. Domenech  
Director