

## ACTS

### Official Languages

(H.B. 1)  
(Conference)

[No. 1]

[Approved January 28, 1993]

### AN ACT

To establish that Spanish and English shall be the official languages of the Government of Puerto Rico, and that both can be used indistinctively; and to repeal Act No. 4 of April 5, 1991.

#### STATEMENT OF MOTIVES

In 1898, it was established by General Order No. 192 from the General Headquarters of the Army, Office of the Adjutant General in Washington, D.C., that English would be the official language to be used in the Government of Puerto Rico. On February 21, 1902, an Act was passed which authorized the use of the Spanish and English languages, indistinctively, in the Government of Puerto Rico. Eighty-nine years later, Act No. 4 of April 5, 1991, declared Spanish the official language of Puerto Rico to be used in handling official business in all the departments, municipalities or other political subdivisions, agencies, public corporations, offices and government dependencies of the Executive, Legislative and Judiciary Branches of the Commonwealth of Puerto Rico. According to the Statement of Motives of that Act, its purpose is to reaffirm our historical status as a Spanish-speaking peoples, as it states our commitment to acquire full command of English as a second language, without surrendering our tongue or culture.

The Preamble of the Constitution of the Commonwealth of Puerto Rico states, among other things, that "we consider as determining factors in our life, our citizenship of the United States of America. . .; our loyalty to the principles of the Federal Constitution; (and) the coexistence in Puerto Rico of the two great cultures of the American Hemisphere. . .". Throughout the XXth century,

the People of Puerto Rico have also manifested time and time again, their will to maintain and strengthen their relationship with the United States of North America. The political, economic and social progress of the People of Puerto Rico is closely tied to the purpose that both the Spanish as well as the English languages shall be the official languages in this jurisdiction.

Act No. 4 of April 5, 1991, has not fulfilled the expectations of present day Puerto Rico, which hopes to participate actively in the initiatives for development in the Caribbean Basin, Latin America, North America and at an international level. Practical vehicles are needed so that the Government of Puerto Rico may continue to communicate effectively with its own people and the outside world. English is the language most frequently used to conduct international communications today. For historical reasons, our People have been using the Spanish and English languages indistinctively for more than nine decades without this meaning that we have set aside or relinquished our mother tongue, the Spanish language, nor that we have surrendered our language or our culture. On the contrary, our citizens find themselves in the privileged position of having been exposed to, and having had the opportunity to learn and speak two important languages. The Spanish and English languages can coexist, as they have up to now, in harmony and pursuant to the needs of the Puerto Rican people, without one devaluing the other.

Nothing that has been stated in this Act signifies a linguistic regression or a cultural imposition on the People of Puerto Rico. Any reference to an attempt for cultural assimilation is a thing of the past. The purpose of this measure is to correct the adverse effects and inconveniences of a practical nature created by Act No. 4 of April 5, 1991, by declaring and establishing that Spanish and English shall be the official languages to be used indistinctively in all departments, municipalities, or other political subdivisions, agencies, offices and government dependencies of the Executive, Legislative and Judiciary Branches of the Commonwealth of Puerto Rico. Thus, justice is served, and a reality which has existed in our society for approximately one century is hereby validated.

In order to clarify any doubts on the legislative intent regarding this measure, we reiterate the following:

(1) This measure once again allows the use of English in government business in Puerto Rico. As a general rule, the use of English in government business, was proscribed here in 1991, when it was enacted to give standing as an official language solely to Spanish. Up to that time, English had also been an official language in Puerto Rico. In brief, with the approval of this measure, we reinstate, without any additions or deletions, the juridical situation which existed in Puerto Rico prior to the approval of the 1991 Act.

(2) Through this measure, the Legislature does not pretend to establish by legislative fiat, a condition of bilingualism alien to the everyday reality of the Puerto Rican People. We limit ourselves to recognizing another fact: that Puerto Rico's relationship with the United States, which is ever stronger both politically and economically, as well as the hope to perpetuate this relationship as expressed in the polls by the voters of the two main political parties—which bring together more than 90 percent of the electorate—multiplies the instances in which it is necessary for our government to receive and answer communications in English, and handle official business in that same language. To proscribe the use of English by pure legislative fiat, as was done in 1991, unnecessarily and unjustifiably hinders and makes the operation of our government more expensive.

(3) No provision of this measure harbors or validates the unfounded speculation that, upon its approval, the Legislature would be opening the doors to the use of a language other than Spanish as a vehicle for teaching in the public schools of Puerto Rico. This bill does not repeal, nor change, nor amends Section 1.02 of the Organic Act of the Department of Education—Act No. 68 of August 28, 1991—which in its pertinent section establishes that “education shall be imparted in the vernacular language, Spanish. English shall be taught as a second language”. We hereby reiterate the public policy to that effect.

(4) No provision of this bill harbors the unfounded speculation that, upon its approval, the Legislature would be authorizing or validating the use of a language other than Spanish in judicial proceedings in the Courts of the Commonwealth of Puerto Rico. The matter of judicial language was resolved by our Supreme Court in the case of *Pueblo v Tribunal Superior* (1965) and what was established therein does not suffer any change whatsoever by the

approval of this measure. Neither does it alter Rule 8.5 of the Rules of Civil Procedure to the effect that "the allegations, petitions and motions shall be filed in Spanish" in the Courts of Puerto Rico.

*Be it enacted by the Legislature of Puerto Rico:*

Section 1.—Spanish and English are established as official languages of the Government of Puerto Rico. Both languages may be used, indistinctively, in all departments, municipalities or other political subdivisions, agencies, public corporations, offices and government dependencies of the Executive, Legislative and Judiciary Branches of the Commonwealth of Puerto Rico, pursuant to the provisions of this Act or by that which is provided by a special law.

Section 2.—When necessary, written translations and oral interpretations shall be made from one language to the other so that the interested parties can understand any proceeding or communication in said languages.

Section 3.—The departments, municipalities or other political subdivisions, agencies, public corporations, offices and government dependencies of the Executive, Legislative and Judiciary Branches of the Commonwealth of Puerto Rico shall employ competent interpreters and translators, when necessary, to carry out the provisions of this Act.

Section 4.—No public or private document shall be annulled on account of being written in one or the other of the official languages of Puerto Rico, pursuant to the provisions of this Act or by that which is provided by a special law.

Section 5.—The departments, instrumentalities and public corporations, municipalities or other political subdivisions, agencies, offices and dependencies of the Government of Puerto Rico may use in their business languages other than the official ones when deemed convenient or necessary.

Section 6.—The Legislature and the Judiciary Branch shall adopt, if necessary, the regulations that each deem pertinent and convenient to give effectiveness to the public policy established in this Act in their respective internal procedures.

Section 7.—The provisions of this Act do not limit the constitutional rights of any person in any way, on account of the language which is vernacular to him/her, or used by him/her as a means of expression.

Section 8.—Act No. 4 of April 5, 1991 [1 L.P.R.A. sec. 56 nt.] is repealed in its totality.

Section 9.—If any part, section, paragraph or clause of this Act were to be declared unconstitutional by a court of competent jurisdiction, the judgment rendered to such effect shall not affect nor invalidate the rest of the Act, that is, its effect shall be limited to the part, section, paragraph or clause of the Act declared unconstitutional.

Section 10.—This Act shall take effect immediately after its approval.

*Approved January 28, 1993.*

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**Retirement of Former Governors—Amendments**  
(H.B. 2)

[No. 2]

[Approved February 27, 1993]

AN ACT

To amend Section 1 and add a subsection (e) to Section 2 of Act Number 2 of March 26 of 1965, as amended, related to the Retirement of ex-Governors, to eliminate the payment of a life annuity to future ex-Governors, establish limitations to the benefits of the Office of Services to ex-Governors and to add and renumber several Sections of said act.

STATEMENT OF MOTIVES

The People of Puerto Rico [have] great esteem, respect and gratitude towards all its ex-Governors. To those effects Act No. 2 of March 26 of 1965, established a life annuity for these distinguished