

(H. B. 7)

(No. 12-2017)

(Approved February 19, 2017)

AN ACT

To add a fourth and fifth paragraph to Section 6 of Act No. 261-2004, as amended, known as the “Puerto Rico Volunteer’s Act,” in order to create volunteer programs directed at the Elderly; create the Elderly Integral Services Program to be administered by the Office of the General Coordinator for Socio-economic Financing and Self-management, or the legal successor thereof; and for other related services.

STATEMENT OF MOTIVES

It is the public policy of this Government to ensure that the elderly are provided with a better quality of life. At present, we have an elderly population that is socially disenfranchised, that has a lot of free time it wishes to fill, and that wants to continue to be productive. Furthermore, this population has broad knowledge, skills, and life experiences that could make their participation in volunteer programs very useful. Consistent with the foregoing, the Plan for Puerto Rico, on pages 184 and 185, proposes the creation of volunteer programs directed at the elderly and the identification of offices in which all the aids and services available for our senior citizens may be offered in an integrated manner. Through this Act, the programmatic commitment of the government shall be honored and an important cause is furthered, which shall move Puerto Rico forward.

Act No. 261-2004, as amended, and known as the “Puerto Rico Volunteer Act,” establishes as its public policy to recognize, promote, protect, and expedite nonprofit solidarity contributions from individuals considered volunteers for the wellbeing of the island, as well as the associationism and the establishment of partnerships between nonprofit organizations, the government, and other institutions for such purposes.

Pursuant to the commitment made in the Plan for Puerto Rico, this measure encourages senior citizens to reclaim their quality of life by fostering volunteer programs for the elderly that promote volunteerism among this population. Thus, we engage them in our society and encourage them to share their life experiences, thereby making their knowledge and abilities available to our children and youths. It shall be an extremely enriching experience for our children and youths to be able to spend time with a group of people characterized by their positive advice and extensive experience. Likewise, we shall provide a sense of productivity and a reason for living to these persons who have done so much for Puerto Rico, and who can still contribute much more.

On the other hand, we cannot lose from perspective that the elderly or senior citizens are the fastest growing population sector in Puerto Rico. Twenty-four point two percent (24.2%) of our population is sixty (60) years of age or older (according to the Planning Board census), and forty percent (40%) of senior citizens live below the poverty line with the Federal Social Security Program being their main source of income. It is compelling to implement new programs that offer a better quality of life for these persons who have so greatly contributed to our society. It is a high priority for our government to support the elderly population and to provide services to improve their quality of life. The development of activities and actions that contribute to maintaining the physical, mental, and social independence of these

adults, to the greatest extent possible, within their family and social realm is essential for their wellbeing and active participation in the community.

Currently, there are communities with large elderly populations who require a variety of services which are essential for their daily lives. It is a well-known fact that it is difficult for our elderly to access the services they require, since most of such services are provided by different state and federal agencies. This makes it difficult for the elderly to receive the services they so desperately need.

In light of the foregoing, this Legislative Assembly deems it necessary to create an Elderly Integral Services Program, whose mission shall be to offer services, equipment, assistance, counseling, and guidance to the elderly in an integrated manner and all in one place. These services shall be provided to both, the elderly, whether they have a disability or not, and to the relatives acting as their guardians, in the areas of housing, health, and specialized professional services. The Office of the General Coordinator for Socio-economic Financing and Self-management, or the legal successor thereof, shall be in charge of implementing said Program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 6 of Act No. 261-2004, as amended, known as the “Puerto Rico Volunteer’s Act,” is hereby amended by adding a fourth and fifth paragraph to read as follows:

“Section 6.- Volunteerism in Public Service.

The municipalities, agencies, departments, and instrumentalities of the Government of Puerto Rico are hereby authorized to establish volunteer programs pursuant to the concept of volunteerism defined in Section 3 of this Act.

...

Lastly, the Secretary of the Department of Education in conjunction with the Secretary of the Sports and Recreation Department are hereby directed to organize and promote a volunteer program specifically directed at the elderly or senior

citizens. Said program shall promote that children and youths spend time with the elderly on a regular basis, so that they may learn from their life experiences, knowledge, and abilities.

The establishment of partnerships with nonprofit organizations and private or public entities shall be promoted in order to encourage the creation of volunteer programs directed at the elderly. For such purposes, both Secretaries shall have the duty to investigate and request any federal available funds to achieve the objectives of this Act.”

Section 2.- Section 4 of Act No. 1-2001, as amended, known as the “Puerto Rico Special Communities Integral Development Act,” is hereby amended to read as follows:

Section 4.- Functions and Duties of the Office.

The Office shall have the responsibility to implement the public policy set forth in this Act. To achieve the purposes of such policy, the Office shall coordinate government efforts for the social and economic development of the special communities and to attain the following objectives:

(a) ...

(b) ...

...

(h) Administer the Elderly Integral Services Program.

(i) Establish and enter into collaboration agreements with any public agency and/or private entity, nonprofit organization, and with the municipalities that offer, provide, administer, or have jurisdiction over any procedures, programs, funds, activities, benefits, or services for the elderly.”

Section 3.- The Elderly Integral Services Program.

The Elderly Integral Services Program is hereby created for the purpose of promoting that our senior citizen population be offered the services they need in an

integrated manner. The services shall be provided to both, the elderly, whether they have a disability or not, and to the relatives acting as their guardians, in the areas of housing, health, and specialized professional services.

To achieve this, the existing government offices that can be used to assist the elderly of a specific ward, sector, or community shall be identified, and shall be informed of any topic of interest, thus facilitating their access to the resources available and to all those personal services offerings in their areas that may be of interest to them. Without this being construed as a limitation, services, equipment, assistance, advisory services, and guidance shall be offered in these offices in an integrated manner.

The Elderly Integral Services Program shall be administered by the Office of the General Coordinator for Socio-economic Financing and Self-management, or the legal successor thereof. The Office shall be responsible for establishing and entering into collaboration agreements with any public agency and/or private entity, nonprofit organization, and with the municipalities that offer, provide, administer, or have jurisdiction over any procedures, programs, funds, activities, benefits, or services for the elderly.

Section 4.- Severability Clause.

If any clause, paragraph, subparagraph, sentence, word, letter, section, provision, subsection, title, chapter, subchapter, heading, or part of this Act were held to be null or unconstitutional, the holding, order, or judgment to such effect shall not affect, impair, or invalidate the remainder of this Act. The effect of said holding shall be limited to the clause, paragraph, subparagraph, sentence, word, section, provision, subsection, title, chapter, subchapter, heading, or part thereof thus held to be null or unconstitutional. If the application to a person or to a circumstance of any clause, paragraph, subparagraph, sentence, word, letter, section, provision, subsection, title, chapter, subchapter, heading, or part thereof thus held to be null or

unconstitutional, the ruling, order, or sentence to such effect shall not affect, impair, or invalidate the application of the remainder of this Act with respect to those persons or circumstances where it may be validly applied. It is the express and unequivocal will of this Legislative Assembly that the courts enforce the provisions and the application of this Act to the greatest extent possible, even if it renders ineffective, invalidates, or holds to be unconstitutional any part thereof, or even if it renders ineffective, nullifies, invalidates, impairs, or holds to be unconstitutional the application thereof to any person or circumstance. This Legislative Assembly would have approved this Act regardless of any determination of severability that the Court can make.

Section 5.- Repeal.

Any Act or provision of law that is in conflict with or that is contrary to the provisions of this Act is hereby repealed.

Section 6.- Relation to other Laws.

If the provisions of this Act are inconsistent or incompatible with the provisions of any prior law, whether an organic, general, or special Act, the provisions of this Act shall prevail.

Section 7.- Effectiveness.

This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 12-2017 (H. B. 7)** of the **1st Regular Session** of the **18th Legislative Assembly of Puerto Rico**:

AN ACT to add a fourth and fifth paragraph to Section 6 of Act No. 261-2004, as amended, known as the "Puerto Rico Volunteer's Act," in order to create volunteer programs directed at the Elderly; create the Elderly Integral Services Program to be administered by the Office of the General Coordinator for Socio-economic Financing and Self-management, or the legal successor thereof; and for other related services.

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

In San Juan, Puerto Rico, on this 11th day of July, 2019.

Orlando Pagán-Ramírez
Director