

(H. B. 2157)

(No. 15-2016)

(Approved March 4, 2016)

AN ACT

To amend Section 9.005 of Act No. 81-1991, as amended, known as the “Commonwealth of Puerto Rico Autonomous Municipalities Act of 1991,” to empower the municipalities to lawfully conduct gift transactions; exempt from the public bidding process any gifts made in favor of another municipality, the central government, or the Federal government, as well as those between municipal corporations, municipal development companies, and municipal consortiums; and for other purposes.

STATEMENT OF MOTIVES

In accordance with Act No. 258-2004, a public policy “that grants the municipalities the maximum degree possible of autonomy and provides them with the resources, powers, and faculties needed to assume a central role in their urban, social, and economic development,” must continue to be implemented.

Section 9.005 of Act No. 81-1991, as amended, known as the “Commonwealth of Puerto Rico Autonomous Municipalities Act of 1991,” empowers municipalities to sell, assign, or lease property through ordinances or resolutions; sell lots in usufruct; sell any personal property unit; use buildings permanently; sell paths or pedestrian walkways; sell and lease niches and tracts; sell surplus agricultural property; and sell lots and/or buildings.

This Legislative Assembly believes that the inclusion of lawful gift transactions among those allowed under Section 9.005 of Act No. 81-1991, *supra*, shall further the principles of municipal autonomy.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 9.005 of Act No. 81-1991, as amended, is hereby amended to read as follows:

“Section 9.005—Alienation of Property

Every exchange, lien, lease, sale, gift, or assignment of municipal property shall be approved by the Municipal Legislature through an ordinance or resolution to such effect.

Any gift or assignment of municipal property shall be authorized; provided, that it is conducted between municipal, state, and/or federal governments, as well as between municipal corporations, municipal development companies, and municipal consortiums, except for those gifts allowed under Sections 9.005B, 9.014, and 9.015 of this Act in favor of foreign countries, nonprofit corporations, and indigent persons.

The sale and lease of any municipal property shall be made through a public bidding process.

The following shall be exempt from the public bidding process:

(a) The sale, assignment, gift, or lease in favor of another municipality, or the central government or the Federal government, as well as between municipal corporations, municipal development companies, and municipal consortiums.

(b) ...

(c) ...

(d) ...

...”

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. 15-2016 (H. B. 2157)** of the **7th Regular Session** of the **17th Legislative Assembly of Puerto Rico**:

AN ACT to amend Section 9.005 of Act No. 81-1991, as amended, known as the “Commonwealth of Puerto Rico Autonomous Municipalities Act of 1991,” to empower the municipalities to lawfully conduct gift transactions; exempt from the public bidding process any gifts made in favor of another municipality, the central government, or the Federal government, as well as those between municipal corporations, municipal development companies, and municipal consortiums; and for other purposes.

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

In San Juan, Puerto Rico, on this 10th day of June, 2016.

Juan Luis Martínez Martínez
Director