

(S. B. 1545)

**(No. 35-2020)**

(Approved April 5, 2020)

**AN ACT**

To amend Section 6.14 of Act No. 20-2017, as amended, known as the “Puerto Rico Department of Public Safety,” in order to provide that the acts to be penalized under this Section shall include those who fail to comply, disregard, or otherwise disobey an executive order of the Governor of Puerto Rico establishing a curfew.

**STATEMENT OF MOTIVES**

On March 11, 2020, the World Health Organization declared the Coronavirus (COVID-19) a pandemic as a result of the outbreak of this new disease in more than one hundred countries. This disease has affected over 370,000 people worldwide and has claimed the lives of more than 16,000 individuals as of March 24, as reported by the World Health Organization. Furthermore, according to reports, 39 cases have been confirmed in Puerto Rico as of that same date.

Countries affected by this disease have implemented a variety of measures. Some governments have been recognized for taking prompt action and implementing measures to deal with this disease, whereas others have not acted as effectively, thus affecting a large number of their citizens.

In Puerto Rico, on March 15, 2020, the Governor issued Administrative Bulletin No. OE-2020-023, providing the measures to be implemented to control the spread of Coronavirus in Puerto Rico. Among other measures, said Order established a curfew as well as the closure of government and business operations. Said measure is consistent with the CDC’s recommendations to reduce exposure to persons that may be infected and curb the exponential spread.

In spite of the issued order, citizens acting irresponsibly and endangering their lives and the lives of others, have decided to disregard the measures implemented by the Government of Puerto Rico to protect its citizens and prevent the spread of Coronavirus. News media have reported that approximately 275 people have been arrested and 482 have been reported since the curfew began. These numbers are unacceptable, even more so when the health and safety of our people are at risk.

Furthermore, it is a shame how ill-intentioned people use social or mass media to disseminate misinformation with the intent to cause confusion, panic, or mass hysteria on the Island while a state of emergency, disaster, or curfew declared by the Governor of Puerto Rico under an Executive Order is in effect. Said behavior endangers the safety of the people and the social order, since it jeopardizes the health and life of citizens.

Therefore, this Legislative Assembly deems it pertinent to amend Act No. 20-2017, as amended, in order to provide that any person who fails to comply or disobeys an executive order establishing a curfew or declaring a state of emergency or disaster, and any person who disseminates or allows the dissemination of misinformation through any medium, social media, or mass media, with the intent to cause confusion, panic or mass hysteria, may be subject to penalties in accordance therewith.

***BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:***

Section 1.- Section 6.14 of Act No. 20-2017, as amended, known as the “Puerto Rico Department of Public Safety Act,” is hereby amended to read as follows:

“Any person who commits any of the following acts shall be punished by imprisonment for a term not to exceed six (6) months or a fine not to exceed five thousand dollars (\$5,000), or both penalties at the discretion of the court:

(a) ...

...

(e) Fails to comply, disregards, or otherwise disobeys an executive order of the Governor of Puerto Rico establishing a curfew or declaring a state of emergency or disaster.

(f) Disseminates or allows the dissemination of misinformation through any medium, social media, or mass media, with the intent to cause confusion, panic or mass hysteria in connection with any proclamation or executive order declaring a state of emergency or disaster, or curfew. In the event that the dissemination of misinformation results in damages to the treasury, or third parties, or public or private property, in excess of ten thousand (10,000) dollars, or when the conduct results in physical injuries or harm, the penalty to be imposed shall be that established for a fourth-degree felony.”

Section 2.- This Act shall take effect upon its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 35-2020 (S. B. 1545)** of the **7<sup>th</sup> Regular Session** of the **18<sup>th</sup> Legislative Assembly of Puerto Rico**:

**AN ACT** amend Section 6.14 of Act No. 20-2017, as amended, known as the “Puerto Rico Department of Public Safety,” in order to provide that the acts to be penalized under this Section shall include those who fail to comply, disregard, or otherwise disobey an executive order of the Governor of Puerto Rico establishing a curfew.

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

In San Juan, Puerto Rico, on this 18<sup>th</sup> day of April, 2022.

Mónica Freire-Florit, Esq.  
Director