

(S. B. 667)

(No. 38-2015)

(Approved March 24, 2015)

AN ACT

To add a new Section 17A to Act No. 53 of June 10, 1996, as amended, known as the “Puerto Rico Police Act of 1996,” in order to direct the Secretary of the Treasury of the Commonwealth of Puerto Rico to withhold from the salary of new officers of the Puerto Rico Police the minimum amount required to earn Social Security credits; and for other related purposes.

STATEMENT OF MOTIVES

Section 107 of Public Law 734 of 1950 of the United States Congress extended to the public employees of the Government of the Commonwealth of Puerto Rico the opportunity to earn credits and be covered under the Social Security program. The government conducted a referendum among employees of the Commonwealth of Puerto Rico for them to decide whether they wanted to be covered under the Social Security program or not. Except for Puerto Rico Police officers and some other public employees, most of them chose to be covered under the Social Security program as an additional tool for retirement planning.

The Legislative Assembly of the Commonwealth of Puerto Rico approved Act No. 75-2005, whereby the Superintendent of the Puerto Rico Police was authorized to conduct a new referendum among police officers regarding the benefits of earning Social Security credits. The referendum under Act No. 75, *supra*, was conducted in accordance with the provisions of Section 218(d)(3) of Chapter 531 of Title II of Public Act 271 of August 14, 1935, as amended, which regulates the voluntary agreements between the Secretary of Health and Social Services of the United States of America and the state governments for the purpose of extending to workers of state governments and Puerto Rico the benefits provided by the Federal Social Security System. In said referendum, a substantial

number of officers of the Puerto Rico Police chose to avail themselves of the Social Security benefits. However, the minimum percentage required under Act No. 75, *supra*, of fifty plus one (50 + 1) was not reached.

This Legislative Assembly deems that many Puerto Rico Police officers are reluctant to join or enroll in the Social Security System, particularly because it will entail the loss of a portion of their monthly net income. At the same time, the Government of the Commonwealth of Puerto Rico has the compelling interest of ensuring that all public employees have a fair financial support once they retire from the Government.

In accordance with the foregoing, it shall be mandatory for every new officer of the Puerto Rico Police, as of July 1st, 2015, to enroll in the Federal Social Security System, under Section 107 of Public Law 734 of August 28, 1950, as amended. Likewise, the Secretary of the Treasury of the Commonwealth of Puerto Rico is hereby directed to withhold from the salary of new officers Puerto Rico Police the minimum amount required to earn Social Security credits.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- A new Section 17A is hereby added to Act No. 53 of June 10, 1996, as amended, known as the “Puerto Rico Police Act of 1996,” to read as follows:

“Section 17.- ...

Section 17A.- Social Security System Enrollment of New Officers of the Puerto Rico Police; Payroll Withholding

The Secretary of the Treasury of the Commonwealth of Puerto Rico is hereby directed to withhold the minimum amount required under Section 107 of Public Law 734 of August 28, 1950, as amended, to earn Federal Social Security credits, from the salary of the new officers of the Puerto Rico Police, beginning on July 1st, 2015.

The foregoing shall be mandatory for every new officer of the Puerto Rico Police, and shall not apply to the civilian employees of the Puerto Rico Police.

Section 2.- This Act shall take effect as of July 1st, 2015.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 38-2015 (S. B. 667)** of the **5th Regular Session** of the **17th Legislative Assembly of Puerto Rico**:

AN ACT to add a new Section 17A to Act No. 53 of June 10, 1996, as amended, known as the "Puerto Rico Police Act of 1996," in order to direct the Secretary of the Treasury of the Commonwealth of Puerto Rico to withhold from the salary of new officers of the Puerto Rico Police the minimum amount required to earn Social Security credits; and for other related purposes.

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

In San Juan, Puerto Rico, on this 3rd day of July, 2015.

Juan Luis Martínez Martínez
Acting Director