

(H. B. 2220)

**(No. 64)**

(Approved February 20, 2004)

**AN ACT**

To establish as the public policy of the Commonwealth of Puerto Rico that no public homage or acknowledgement shall be given, in life or posthumously, to any public employee or former public employee who has been convicted or who has plead guilty in a local, state or federal forum or in any other jurisdiction of the United States of America of any of the crimes that constitute corruption, enumerated in Act No. 50 of August 5, 1993 and Act No. 458 of December 29, 2000, as amended, as well as crimes against public property, the public treasury, public office, judicial endeavors, or the public faith established in Act No. 115 of July, 1974, as amended, known as the "Penal Code of the Commonwealth of Puerto Rico," committed in the performance of their public duties, which are totally or partially financed with public funds.

**STATEMENT OF MOTIVES**

During the past few months, different public figures, public officials and former public servants of our country have been linked to diverse acts of corruption. These acts are even more punishable when committed in the performance of public duties. All of these charges of acts of corruption have shaken the foundations of trust that the citizens have deposited in the leaders they elect to represent them.

It is outrageous that officials and leaders such as these, who have tainted public trust and given a bad name to the work performed by their fellows, enjoy public recognition or have historic monuments built in their honor, even moreso when the funds that are under investigation had been appropriated for causes as sensitive as those appropriated for the benefit of our children and are used instead for personal lucre or political activities.

For all of the above, this Legislature deems it necessary and convenient to approve this Act, so that this type of corrupt conduct is not encouraged by the Government of the Commonwealth of Puerto Rico through acknowledgements, amenities, or historic monuments financed wholly or partially with public funds, in honor of such persons.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1- It is hereby declared as the public policy of the Commonwealth of Puerto Rico that no public homage or acknowledgement which is totally or partially financed with public funds, shall be given, in life or posthumously, to any public employee or former public employee as defined in Act No. 12 of July 24, 1985, as amended, known as the "Ethics in Government Act" who has been convicted or who has plead guilty in a local, state or federal forum or any other jurisdiction of the United States of America of any of the crimes that constitute corruption listed in Act No. 50 of August 5, 1993 and Act No. 458 of December 29, 2000, as amended, as well as of crimes against public property, public funds, public office, judicial functions, or the public faith and credit, established in Act No. 115 of July, 1974, as amended, known as the "Penal Code of the Commonwealth of Puerto Rico," committed in the performance of their public office. For the purposes of this Section, the phrase homage or public recognition includes, but is not limited, to the creation or exhibition of their portrait, painting or bust, the designation of any public structure or highway with their name, the building of an historic monument in their honor, or the granting of any award, medal or commemorative item in recognition of the performance of their public duties.

Section 2.- In the case of portraits, paintings, busts, designation of public structures or highways, or historic monuments built in contravention to this Act after it has taken effect they shall be removed or redesignated, as the case may be,

by the authority with jurisdiction.

Section 3.- This Act shall take effect immediately after its approval.

**CERTIFICATION**

I hereby certify to the Secretary of State that the following Act No. 64 (H.B. 2220) of the 7<sup>th</sup> Session of the 14<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to establish as the public policy of the Commonwealth of Puerto Rico that no public homage or acknowledgement shall be given, in life or posthumously, to any public employee or former public employee who has been convicted or who has plead guilty in a local, state or federal forum or in any other jurisdiction of the United States of America of any of the crimes that constitute corruption, enumerated in Act No. 50 of August 5, 1993 and Act No. 458 of December 29, 2000, as amended, etc.,

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

In San Juan, Puerto Rico, today 24<sup>th</sup> of June of 2005.

Luis E. Fusté-Lacourt  
Director