

(H. B. 1990)

(No. 102-2014)

(Approved July 23, 2014)

AN ACT

To amend subsection (1) of Section 10A of Act No. 5 of December 30, 1986, as amended, known as the “Child Support Administration Organic Act,” in order to add a paragraph to provide that every employer shall report to the State Registry of New Employees the date services for remuneration to be paid by the employer were first performed by the newly hired or rehired employee.

STATEMENT OF MOTIVES

On December 8, 2010, the President of the United States of America, the Honorable Barack H. Obama, signed Public Law 111-291, known as the “Claims Resolution Act of 2010.” Said Law amended Section 453A of the Social Security Act to require every employer to report information related to the date services for remuneration to be paid by said employer were first performed by the employee to the New Hires Registry of the State in which a newly hired or rehired employee works. The foregoing constitutes an anti-fraud measure enacted to reduce the overpayments of unemployment insurance benefits to persons who begin a new job and fail to notify the same.

On May 3, 2011, the Office of Child Support Enforcement, attached to the Office of the Administration for Children and Families of the U.S. Department of Health and Human Services, required the states and the Commonwealth of Puerto Rico to amend their respective laws and regulations to comply with the provisions of Public Law 111-291, *supra*.

Therefore, it is necessary to amend Act No. 5 of December 30, 1986, as amended, known as the “Child Support Administration Organic Act,” to expressly provide that any employer that hires or rehires a person shall report the date on which services for remuneration to be paid by the employer were first performed.

In accordance with the foregoing, this Legislative Assembly deems it appropriate and necessary to approve this measure so that the provisions of Act No. 5, *supra*, are consistent with federal laws.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.— Subsection (1) of Section 10A of Act No. 5 of December 30, 1986, as amended, is hereby amended to read as follows:

“Section 10A.— State Register of New Employees

(1) The Administration shall establish a State Register of New Employees and may establish cooperation agreements with other state agencies or entities to comply with the provisions set forth in this Section. Any employer who hires or rehires a person shall send the following information to the Administration:

(a) The name, address, and social security number of the newly hired or rehired employee;

(b) the name, address, and federal employer identification number, or if no local or federal laws require an employer identification number, the employer identification number of the Government of the Commonwealth of Puerto Rico; and

(c) the date on which services for remuneration paid by the employer were first performed by the newly hired or rehired employee.”

Section 2. – Effectiveness.

This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 102-2014 (H. B. 1990)** of the **3rd Regular Session** of the **17th Legislative Assembly of Puerto Rico**:

AN ACT to amend subsection (1) of Section 10A of Act No. 5 of December 30, 1986, as amended, known as the "Child Support Administration Organic Act," in order to add a paragraph to provide that every employer shall report to the State Registry of New Employees the date services for remuneration to be paid by the employer were first performed by the newly hired or rehired employee.

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

In San Juan, Puerto Rico, on this 23rd day of January, 2018.

Orlando Pagán-Ramírez
Acting Director