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## ***Puerto Rico Simplify and Transform Permit Process Act***

Act No. 19 of April 4, 2017, as amended.

(Contains amendments incorporated by:

[Act No. 21 of May 14, 2019](#))

### AN ACT

To amend Sections 1.2, 1.5, 2.1, 2.2, 2.3, 2.4, 2.5, 2.7, 2.10, 2.11, 2.12, 2.13, 2.16, 2.17, 2.18, 3.1, 3.2, 7.3, 7.4, 7.9, 8.1, 8.2, 8.3, 8.4, 8.5, 8.8, 8.8A, 8.10, 8.11, 8.13, 8.14, 9.1, 9.2, 9.5, 9.6, 9.7, 9.8, 9.9, 9.12, 13.1, 14.1, 14.2, 15.1, 16.1, 18.2, 18.7, 18.9, 18.10, 19.7; repeal Sections 2.3B, 2.8A, and 7.8 and renumber the subsequent Sections; repeal Sections 14.4, 14.5, and 14.6 and substitute them for new Sections 14.4, 14.5 and 14.6; add Sections 14.7, 14.8, 14.9, 14.10, 14.11, 14.12, 14.13; repeal Sections 8.15 and 8.16 and substitute them for new Sections 8.15 and 8.16; repeal Section 16.2; and add a Section 8.4A and Chapters VI and XI to Act No. 161-2009, as amended, known as the “Puerto Rico Permit Process Reform Act”; amend subsection (d) of Section 10 of Act No. 8 of January 8, 2004, as amended, known as the “Sports and Recreation Department Organic Act”; amend Sections 13.008, 13.012 and 13.015 of Act No. 81-1991, as amended, known as the “Autonomous Municipalities Act”; amend Sections 1, 4, 5, 6, and 7 of Act No. 374 of May 14, 1949, as amended; amend Section 4 of Act No. 416-2004, as amended, known as the “Environmental Public Policy Act”; repeal subsection (31) of Section 11 of Act No. 75 of June 24, 1975, as amended, known as the “Puerto Rico Planning Board Organic Act”; amend Sections 3, 5, and 7 of [Act No. 76-2000, known as the “Procedures for Emergency Situations or Events Act”](#) for the purposes of simplifying and transforming the permitting process in the jurisdiction of Puerto Rico in order to provide it with certainty, reliability, efficiency, and stability; continue taking agreed upon actions directed at transforming Puerto Rico into a location that is open for businesses by improving the permitting process as it was stated by the Financial Oversight Board created pursuant to the [Puerto Rico Oversight, Management, and Economic Stability Act, known as “PROMESA,” Pub. L. 114-187](#); order the Planning Board to revise and amend Land Use Plans; and for other related purposes.

### STATEMENT OF MOTIVES

According to data provided by the U.S. Department of the Treasury, Puerto Rico is suffering a 14.6% economic contraction in the Gross State Product (actual GSP) and an additional 3% contraction over the next two years has been forecasted. For years, the Government of Puerto Rico has operated with a structural deficit that has been financed with bond issues and loans from the Government Development Bank. The Government has been lacking liquidity for over a year, and

tax refunds, payments to contractors, pensioners' funds, and intra-governmental loans have been used as a substitute for sources of liquidity.

A divided government structure and obsolete government systems have impaired access to the Government's financial information as well as prevented us from making adequate predictions. Revenues are constantly overestimated and continue to decrease despite the imposition of many new taxes. The Government Development Bank has defaulted its obligations to bondholders since May 1, 2016, and is no longer fulfilling its duty to provide liquidity. Puerto Rico's obligations portfolio amounts to \$66 billion and includes 18 different issuers whose financial situation is precarious. Debt service amounts to an average of \$3.5 billion and uses over one-fourth of the sources of income. Retirement systems are practically insolvent with a \$50 billion debt. All of the foregoing is worsened by a decrease in population caused by the emigration wave that began in 2006 and has become one of the obstacles in our path to recovery.

Taking into account this dismal state of affairs, it is time to leave behind the philosophy of "me vale" [I couldn't care less], roll up our sleeves, and work hard for the welfare of Puerto Rico. It is our duty to build a new Puerto Rico and implement a public policy that does not rely on improvisation or manages the Island's finances on a year-to-year basis, but rather tackles the long-term fiscal imbalance between the Government's revenues and spending. Our commitment under the "Plan for Puerto Rico" is to address these situations responsibly and restore the Island's credibility. We must look to the future and anticipate the challenges ahead, rather than simply survive one crisis after another. The leaders and officials of the components the Government of Puerto Rico should concentrate on balancing income and spending, reducing the level of government intervention in Puerto Rico's economy, and creating a competitive business environment governed by good faith, so that investors as well as local and foreign business people may lead the way towards economic recovery.

With the approval of [Act No. 4-2017, known as the "Labor Transformation and Flexibility Act."](#) this administration began to implement the reforms that shall make us more competitive to attract investment and create jobs. Through this legislation, we implement another great measure that, together with other reforms such as the tax and energy reforms, shall make Puerto Rico competitive in the 21<sup>st</sup> century.

The policies of the past led the United States Congress to adopt the [Puerto Rico Oversight, Management, and Economic Stability Act of 2016, known as "PROMESA,"](#) delegating to a Finance Oversight Board (the FOB) the power to work with the Government of Puerto Rico to help us overcome the crisis we are currently facing. Our commitment is to work hand in hand with the FOB to push Puerto Rico forward. Thus, on December 20, 2016, the FOB requested that the Government of Puerto Rico's priorities include a plan and a commitment to implement significant changes directed to restoring economic growth through structural and fundamental reforms that create a more competitive economy and which include, among other things, improving the permitting process in order to promote investment.

In fact, Title V of [PROMESA](#) on the Infrastructure Revitalization of Puerto Rico established an expedited permitting process for projects defined as critical, using as a frame of reference the procedure established in [Act No. 76-2000, as amended, known as the "Procedures for Emergency Situations or Events Act."](#) This shows that the intent of Congress was to establish an expedited permitting process to promote the infrastructure and economic development.

The analysis of Puerto Rico's current situation has been observed by various international entities such as the World Bank and the World Economic Forum which provide indicators on the world's economies and information on their position with respect to the combination of variables they analyze. With the goal of achieving greater competitiveness, it is important to observe models such as the one used in Singapore. In its 2017 report, the World Bank reported that the Singapore ranked second (2nd) among developed countries on ease of doing business, sixth (6th) on ease of starting a business, tenth (10th) on ease of obtaining building permits and electric power service, and second (2nd) on enforcing contracts. Conversely, Puerto Rico was ranked fifty-fifth (55th) among developed countries on ease of doing business; fifty-first (51st) on ease of starting a business; one hundred and thirty-first (131st) on ease of obtaining building permits; sixty-fifth (65th) on ease of obtaining electric power service; and ninety-seventh (97th) on enforcing contracts.

Taking into consideration the predicament in which we find ourselves, we must make decisions that allow us to move towards a future of stability and development. Puerto Rico requires a clear and consistent public policy geared towards transforming it into an attractive jurisdiction for promoting investments from small, medium, and large entrepreneurs and developers.

The development of any country must focus on planning that seeks to strike a balance between the economic and social sectors, as well as the organization of its physical space. One of the fundamental tools to achieve this balance is the permit evaluation and processing system for development, as well as for land and property use. This system should facilitate the establishment of new sources of economic activity to create the society we envision.

Over the years, many laws have been enacted in Puerto Rico for the purpose of regulating land classification and zoning, and establishing the entities that would have the authority to evaluate, process, and adjudicate permit applications. The aforementioned legislation includes Act No. 75 of June 24, 1975, as amended, which created the Planning Board to promote the integral development of Puerto Rico in a coordinated manner, and entrusted it with the responsibility to make decisions regarding land use, through the promulgation of land classification and zoning plans, among others. In addition, by virtue of the now repealed Act No. 76 of June 24, 1975, the former Regulations and Permits Administration was created as the operational branch of the Planning Board which, at the time, administered the entire permitting process. Furthermore, upon the approval of Act No. 81-1991, as amended, known as the "Autonomous Municipalities Act," the Central Government shared its duties under a new system based on decentralization by empowering the Planning Board and the Regulations and Permits Administration to delegate to the municipalities some of their authorities concerning land use and evaluation of permits. In 2009, Act No. 161-2009, as amended, known as the "Puerto Rico Permit Process Reform Act," was enacted to provide Puerto Rico with a streamlined permit application, evaluation, and adjudication system and the Permit Management Office (OGPe, Spanish acronym) was created for such purposes.

This legal framework has resulted in Puerto Rico being regulated by a diverse and confusing set of plans and instruments, such as Territorial Ordinance Plans, Sector Plans or Special Plans, and a great number of regulations with different nomenclatures which currently regulate the permit application and evaluation process. At present, the state government and nineteen (19) Autonomous Municipalities, together with their permit offices, all lack uniformity with regards to their documentation and the processes to gain access to information and process permit

applications. All of this is made worse by a lack of direction towards the common goal that all government structures should promote, to wit: expanding economic activity, creating jobs, and ensuring sustainability.

Act No. 161-2009 proved successful in organizing the environmental evaluation procedures, which were previously delegated to various entities, including the Environmental Quality Board and agencies with the duty to comment on environmental impact. Duties concerning the environment and permit management are currently a matter of central importance for Puerto Rico. However, the implementation phase of Act No. 161-2009 was not completed. Thus, there is still a need to integrate and standardize, in a productive manner, all other government components concerned with permit management, such as the Autonomous Municipalities.

As a result of the foregoing, the permit evaluation and granting parameters lack uniformity and are disparate. This also led to the establishment of different and sometimes incompatible evaluation parameters and procedures in several of the Island's towns. It is therefore necessary to establish uniform qualification and regulation districts in Puerto Rico which, shall not only provide the permitting process with certainty and transparency, but also streamline it.

Moreover, it is critical that every application for permit and land use on the Island be processed through a single electronic system, thus ensuring that the permitting process is completely uniform, accurate, and streamlined. At this point in the 21st century, the digitalization of the information concerning permits and the land use cannot be postponed.

It is necessary to establish transparent governance mechanisms devoid of needless bureaucracy, and to promote understanding among all sectors of society. There is no doubt that Puerto Rico needs to refocus in order to demonstrate it is a viable investment and, to provide residents and visitors with an attractive quality of life that has the potential to develop a sustainable and consistent economic activity. Puerto Rico needs a government model that promotes measurable, concrete, and verifiable results in the short-, medium-, and long-term. This model is based on principles and values with parameters and premises that shall guide the implementation of strategies and initiatives. Such principles and values are:

- The economic development of Puerto Rico shall be based on the global principles of competitiveness, innovation, creativity, and sustainability.
- The Government shall be a facilitator of economic development by implementing real and concrete free market reforms that open our economy for a robust growth and job creation.
- The government structure must be cost-effective, efficient, and transparent.
- Public service must be based on integrity, excellence, responsibility and accountability.

The root cause of Puerto Rico's permitting process issues are well known. These causes are critical in the process and include, among others:

1. Excessive regulation and duplication in the case evaluation process at an internal and intergovernmental level;
2. Slow manual processing;
3. Excessive and burdensome documentation load;
4. Noncompliance with the established timelines;
5. Lack of effective oversight; and
6. Uncertainty in and lack of trust in the process.

It is a well-known fact that shortcomings such as excessive regulations, a lack of uniformity, and a complex permit application evaluation processes discourage investments and cause countless economic losses. We seek to overcome the aforementioned shortcomings in order to create an attractive environment in Puerto Rico that promotes the development of all types of projects.

Overcoming these deficiencies requires the establishment of a cost-effective, predictable, and accurate permitting process capable of committing human resources, materials, time, and effort commensurate with the size and potential impact of the proposed actions, activities, and projects.

The transformation of the permitting process shall allow us to:

- Maximize investment opportunities and economic activity;
- Protect the environment;
- Maintain and improve our infrastructure;
- Promote Puerto Rico's economic development by creating a productive synergy between the private and the government sectors;
- Facilitate the attraction of top talent and the collaboration between the government and the private sector in order to promote Puerto Rico as an investment destination and an export center.

The time savings achieved by centralizing the permitting process in OGPe, although positive, did not change the fact that it is a permit system where multiple government actors are involved.

This Administration is committed to establishing a government structure that significantly reduces government spending and substantially improves its functions.

In order to achieve this, the permitting process must be streamlined for all activities, actions, and projects that, individually and as a group, shall contribute to our economic development whether these are from local entrepreneurs or foreign companies, or from a small businesses or an entity that is part of a multinational network. This while ensuring compliance with the federal and local environmental standards in effect in order to safeguard the public health, safety and welfare.

Furthermore, it is of utmost importance to provide the permit system with a professional and highly trained structure. Likewise, the judges who review these cases must be trained individuals capable of hearing such cases promptly and swiftly. Thus, specialized parts in the Court of Appeals are hereby created to hear these cases and the Judicial Branch is hereby recommended, with due respect to its constitutional power, to establish a random system or method for selecting judges in order to provide the process with transparency and trustworthiness.

In fact, a random system had been legislated previously in Act No. 78-2011 and the Supreme Court endorsed it in *In re: Disposiciones del Código Electoral de Puerto Rico para el Siglo XXI* [Provisions of the Puerto Rico Election Code for the 21st Century], 2012 T.S.P.R. 7. On that occasion, in order to provide the system for selecting the judges who shall hear election-related cases with trustworthiness, the Supreme Court, en banc, implemented a simple random selection system with a replacement option in order to: “(1) to make an unbiased selection, and (2) ensure that when making multiple consecutive selections, the different individuals that compose the group from which the selections are made have the same probability of being selected.” *Id.*, p. 2. In the words of the Court, this was done “to comply with the provisions of the Puerto Rico Election Code.” *Id.*, p. 3. We recognize the constitutional power of the Supreme Court to designate judges to different parts.

The Journal of the Constitutional Convention contains all the statements included in the Report submitted by the Committee on the Judicial Branch discussing the scope of the term

“administration” in regards to the Judicial Branch, which includes without excluding other functions: 1) compiling statistics; 2) rent premises; 3) granting vacation and other leaves to officials and employees; 4) investigating complaints and pressing charges against officials and employees before the competent authority; 5) authorizing disbursements provided by law and examining the accounts of all the courts; 6) designating and transferring judges; 7) adopting regulations for the different courts; and 8) superintending the courts.<sup>1</sup> See, Journal of the Constitutional Convention of Puerto Rico 2613 (1961). See also, R.L. Rosario Cortés & J.E. Adames Ramos, Administración de la Rama Judicial en Puerto Rico: ¿Delegación Exclusiva o Compartida? [The Administration of the Judicial Branch of Puerto Rico: A Delegation that is Exclusive or Shared?], 82 Rev. Jur. U.P.R. 909, 922 (2013). In fact, it is this Act which recognizes the Supreme Court’s authority to designate judges and superintend the courts; therefore, the Legislative Assembly cannot arrogate to itself said power. However, the Legislative Branch can recommend to its sister Judicial Branch a procedure to follow for the designation of judges and the for the creation of special courts to hear certain types of cases.

Thus, it is hereby recommended to the Judicial Branch to adopt a random judge selection method for the two special panels that shall hear all judicial review cases under in this Act. Said judges shall remain in the panels to which the Judicial Branch shall assign them for regular cases by judicial region, but shall give priority to the cases assigned to the special court recommended herein. Moreover, the Government of Puerto Rico Human Resources Administration and Transformation Office, created pursuant to Act No. 8-2017, is hereby directed to develop workshops and panel discussions on this measure in order to professionalize the judges selected through the random selection mechanism. All of this shall provide the permitting system with trustworthiness, professionalism, and transparency, thus making it attractive for investment and, therefore, the Island’s economic recovery.

This measure renders the process of compensating and operating businesses, and promoting investment more efficient and effective through changes incorporated to the permitting system. This makes Puerto Rico more competitive as a jurisdiction and makes the Government and its permitting process more responsive to our goal of creating a streamlined government that addresses the needs of the People, and capable of generating the economic activity that Puerto Rico needs to overcome the fiscal and economic predicament in which it finds itself. Likewise, by promulgating this Act, the current Administration reiterates its firm commitment to and interest in providing Puerto Rico with mechanisms that streamline the permitting process for the development and use of properties, thereby promoting the economic activity on the Island.

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

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<sup>1</sup> See, In re Aprobación de las Reglas para los Procedimientos de Investigaciones [Approval of the Rules for Investigation Procedures], 184 D.P.R. 575, 584 (2012) in which the Supreme Court states that the word “superintend” means to inspect, oversee, and govern.

**Sections 1 - 67. — Omitted.** [Sections of Act No. 161-2009, as amended, known as the “Puerto Rico Permit Process Reform Act,” are hereby amended]

**Section 68. — Omitted.** [Section 11 of Act No. 8-2004, as amended, known as the “Sports and Recreation Department Organic Act,” is hereby amended]

**Sections 69 - 71. — Omitted.** [Sections of Act No. 81-1991, as amended, known as the “Autonomous Municipalities Act,” is hereby amended]

**Sections 72 - 76. — Omitted.** [Sections of Act No. 374 of May 14, 1949, as amended, are hereby amended]

**Section 77. — Omitted.** [Section 4 of Act No. 416-2004, as amended, known as the “Environmental Public Policy Act,” is hereby amended]

**Section 78 - 79. — Omitted.** [Sections of [Act No. 76-2000, known as the “Procedures for Emergency Situations or Events Act”](#) are hereby amended]

**Section 80. —** Subsection (31) of Section 11 of Act No. 75 of June 24, 1975, as amended, known as the “Puerto Rico Planning Board Organic Act,” is hereby repealed.

**Section 81. — Omitted.** [Section 7 of [Act No. 76-2000, known as the “Procedures for Emergency Situations or Events Act,”](#) is hereby amended]

**Section 82. — Revision of Land Classification Districts.** (23 L.P.R.A. § 9025 note)

The Puerto Rico Planning Board is hereby directed to revise, within a period not to exceed two hundred forty (240) days from the approval of this Act, all the classification districts included in the Joint Regulation or in any other planning regulation as well as all of the territorial ordinance and use plans at the municipal level approved or pending before the Planning Board in order to establish uniform uses and classification districts for Puerto Rico.

As part of the review process, the Planning Board shall establish equivalences between the districts already established whether through special regulations, territorial ordinance plans, or the Joint Regulation, and shall establish all those new classifications as are necessary to uniformly address the uses to be given to the lands or structures on our Island. The Planning Board shall reduce the number of classification districts by consolidating districts that are similar or alike and may establish overlapping special zones or areas to address the particularities of districts that warrant special treatment.

The Planning Board shall take into consideration the current trends of doing business, namely Startup Incubators, and facilitate procedures and uses for persons working from home without affecting or changing the context of the neighborhood.

The process of revising the classification districts within a territorial ordinance plan shall require the holding of a public hearing at which revisions for one or more municipalities may be submitted.

The process of revising the classification districts within a territorial ordinance plan, in accordance with this Section, as well as the promulgation of provisions and regulations, in accordance with this Act, shall be expressly excluded from the provisions of Act No. 170 of August 12, 1988, as amended, better known as the ‘Uniform Administrative Procedures Act,’ *[Note: Repealed and replaced by [Act No. 38-2017](#)]* and the provisions of Chapters XIII and XIV of Act No. 81-1991, as amended *[Note: Repealed and replaced by Act No. 107-2020]*.

It is the duty of the Puerto Rico Planning Board to revise and maintain simple and functional parameters and requirements for all commercial districts, and attuned to the new global trends of doing business. In order to address the lack or excess of requirements, the regulations shall establish clear guidelines based on the proposed activities or uses and the size thereof to establish the necessary number of parking spaces, restroom facilities, and storage space.

**Section 83. — Reengineering and Implementation Plan.** (23 L.P.R.A. § 9018c note)

The person designated by the Governor shall establish the restructuring mechanism for the process of reengineering all the units of Concerned Government Entities in order to issue the recommendations of every development project. All Concerned Government Entities, especially infrastructure agencies, the Electric Power Authority (PREPA), the Aqueduct and Sewer Authority (PRASA), the Department of Transportation and Public Works (DTOP, Spanish acronym), the Telecommunications Regulatory Board of Puerto Rico (TRB), the Highways and Transportation Authority (PRHTA) shall provide the necessary resources and information to begin a reengineering process. This process should employ the latest technology available in order to expedite the identification of abutting lines, the approval of construction plans, and the timely issuance of the requested recommendations.

**Section 84. — Strategic Projects.** (23 L.P.R.A. § 9018c note)

Every application for strategic projects of great significance or in which the State has a compelling interest because of their nature or impact on economic development, shall be submitted and evaluated by the Permit Management Office regardless of the location thereof.

To such effects, in order to determine which projects are strategic or in which the State has a compelling interest an Ad Hoc Committee is hereby created composed of the Governor’s Advisor on Development and Infrastructure, who shall be its Chair, the Secretary of the Department of Economic Development and Commerce, and the Chair of the Planning Board.

Said Committee shall be attached to the Planning Board which shall be the public instrumentality charged with the promulgation of any regulations related to the designation, processing, and evaluation of strategic projects.

Moreover, projects designated as critical or under the [Puerto Rico Oversight Management and Economic Stability Act \(PROMESA\)](#) or those submitted by virtue of a declaration of emergency issued by the Governor through an Executive Order, as provided in [Act No. 76-2000](#), shall be evaluated in accordance with the provisions of said Act.

*[Amendments: Added by [Act No. 21-2019](#), Sec. 24]*



**Section 84A. — Priority of Strategic Projects.** (23 L.P.R.A. § 9018c note)

For projects declared as strategic under Section 84 of this Act, OGPe shall establish the terms and procedures to address the same promptly.

Only those projects that qualify as an emergency pursuant to [Act No. 76-2000, as amended](#), and Priority Projects within Opportunity Zones under the ‘Puerto Rico Economic Development Opportunity Zones Development Act of 2019,’ [Note: Repealed and replaced by [Act No. 60-2019](#)] in that order, shall have priority over projects declared as strategic.

Until Regulations on the processes and terms to streamline strategic projects are adopted, the terms provided in the ‘Puerto Rico Economic Development Opportunity Zones Development Act of 2019’ shall apply [Note: Repealed and replaced by [Act No. 60-2019](#)].

**Section 85. — Amnesty.** (23 L.P.R.A. § 9018c note)

An amnesty is hereby declared until December 31, 2017 for any person who has begun a construction or is using lands or structures for residential purposes without having the permits therefor to be able to take the appropriate actions to obtain them.

Interested citizens shall have until July 31, 2017 to submit to the Permit Management Office or the Autonomous Municipalities with I to V Granted Hierarchy, as the case may be, a written intent to avail themselves of this amnesty.

Such written intent shall be assigned a unique transaction number to identify the case of each citizen.

As part of the process to avail oneself of the amnesty provided for herein, the proponent shall certify the following:

1. That the structure does not pose an imminent hazard to its inhabitants and adjoining neighbors.
2. That the structure is not located in land prone to flooding or slides.
3. The ownership of the structure or the site where it is located is not in dispute.
4. The structure is not in conflict with a public project nor is located in public lands or special areas identified as such by the Planning Board.
5. There are no legal actions between parties or against the Permit Management Office, Autonomous Municipalities with I to V Granted Hierarchy, or any public instrumentality.
6. Public safety is not affected.
7. The structure is not located in a public area, including maritime zones requiring the authorization of government agencies, the land custodian, and the Planning Board.
8. The existing infrastructure fulfills the projected increase in required essential services.
9. The property shall be used by the person requesting the amnesty and shall not be used for commercial purposes.
10. In the case of stilt housing or trailers, it shall be required for an engineer or architect to certify the structural anchorage and safety.

A fifty percent (50%) discount shall be applied across the board to the current cost of legalization in every concerned agency. A waiver of the bond-posting requirement for debris collection in municipalities is also provided herein. The sum of twenty-five dollars (\$25.00) shall be collected for the issuance of the use permit.

At the time of filing the intent to avail oneself of the amnesty, a payment in the amount of one hundred dollars (\$100.00) shall be made, which amount shall be applied to the total amount to be paid.

Insofar as the structure to be legalized has a drinking water meter, it shall be allowed for said meter to be located at a distance not to exceed five hundred (500) feet from the structure for the duration of the amnesty. However, once the amnesty concludes, the meter shall be located in accordance with the specifications and regulations of the Aqueduct and Sewer Authority.

This provision shall not apply to second story structures where restrictive conditions thus prohibit it.

**Section 86. — Revision of Regulations.** (23 L.P.R.A. § 9028f note)

Within a period of two hundred forty (240) days from the effective date of this Act, the Concerned Government Entities, the Permit Management Office, and all of the departments, agencies, municipalities, public corporations, and instrumentalities of the Government of Puerto Rico and its political subdivisions shall revise, amend, or repeal their administrative regulations and orders, memoranda establishing permit and streamlining procedures, policies, and forms intended for the purpose of simplifying, clarifying the processes thus conforming them to the public policy established in this Act. Said revision seeks to render more specific, clearer, and more accurate the requirements established in the regulations, eliminate customary uses that are inconsistent with the regulations, and simplify to the maximum possible extent the number of permits and authorizations required to the regulatory entity. This revision must eliminate deficiencies or inconsistencies that prevent full compliance with the purposes and the provisions of this Act. Within thirty (30) days after the aforementioned period elapses, the Planning Board shall submit a report to the Governor and the Legislative Assembly of Puerto Rico.

**Section 87. — Severability Clause.** (23 L.P.R.A. § 9011 note)

If any clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, heading, or part of this Act were held to be null or unconstitutional, the ruling, holding, or judgment to such effect shall not affect, impair, or invalidate the remainder of this Act. The effect of said holding shall be limited to the clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, heading, or part of this Act thus held to be null or unconstitutional. If the application to a person or a circumstance of any clause, paragraph, subparagraph, sentence, word, letter, article, provision, section, subsection, title, chapter, subchapter, heading, or part of this Act were held to be null or unconstitutional, the ruling, holding, or judgment to make sure such effect shall not affect or invalidate the application of the remainder of this Act to such persons or circumstances where it may be validly applied. It is the express and unequivocal will of this Legislative Assembly that the courts enforce the provisions and application thereof to the greatest extent possible, even if it renders ineffective, nullifies, invalidates, impairs, or holds to be unconstitutional any part thereof, or even if it renders ineffective, invalidates, or holds to be unconstitutional the application thereof to any person or circumstance. This Legislative Assembly

would have approved this Act regardless of any determination of severability that the Court may make.

**Section 88. — Effectiveness.**

All Sections of this Act shall take effect immediately after its approval.

Note. This compilation was prepared by the [Puerto Rico Office of Management and Budget](#) staff who have striven to ensure it is complete and accurate. However, this is not an official compilation and may not be completely free of error. It contains all amendments incorporated for reading purposes only. For accuracy and exactitude please refer to the act original text and the collection of Laws of Puerto Rico Annotated LPRA. The state links acts are property of [Legislative Services Office](#) of Puerto Rico. The federal links acts are property of [US Government Publishing Office GPO](#). Compiled by the Office of Management and Budget Library.

See also the [Original version Act](#), as approved by the Legislature of Puerto Rico.