

(S. B. 1344)
(Conference)

(No. 191-2015)

(Approved November 20, 2015)

AN ACT

To amend Section 6 and Section 8 of Act No. 22-2012, as amended, known as the “Act to Promote the Relocation of Individual Investors to Puerto Rico,” in order to amend the deadline to file the Annual Report with the Tax Exemption Office, make technical amendments related to the provisions to make the payment of fees and conform them to the provisions of Act No. 171-2014, which creates and attaches the Film Industry Development Program, the Youth Development Program, and the Puerto Rico Workforce Development and Training Program to the Department of Economic Development and Commerce and empowers the Department to regulate the payment of official expenses as well as to custody and administer the funds of the Department as an independent treasury.

STATEMENT OF MOTIVES

The purpose of this legislation is to facilitate the payment of fees made by decree applicants under Act No. 22-2012 and to conform the provisions of said Act to the provisions of Act No. 171-2014. Act No. 171-2014 attaches the Film Industry Development Program, the Youth Development Program, and the Puerto Rico Workforce Development and Training Program to the Department of Economic Development and Commerce. To properly manage the operating budget of these federally-funded Programs, which operate as an independent treasury, the Department of Economic Development and Commerce was empowered to regulate the payment of official expenses as well as to custody and administer the funds of the Department as an independent treasury.

Specifically, these amendments establish the fee payment mechanism required by Act No. 22, *supra*, clarifies the power of the Secretary to establish a special fund, as well as his/her authority to manage the same as an independent treasury. Thus, this Legislative Assembly hereby adjusts Act No. 22-2012 to the new legal provisions set forth under Act No. 171-2014.

Furthermore, the Tax Exemption Office, which also processes applications for decrees under Act No. 20-2012, receives the Annual Reports required by said Act within thirty days (30) after the deadline for filing the state income tax returns. In order to facilitate the oversight and evaluation process of the Reports submitted in accordance with Act No. 20 and Act No. 22, this Legislative Assembly deems it advisable to amend Act No. 22-2012 to change the deadline for filing the Annual Reports required thereunder to the deadline for filing Annual Reports under Act No. 20-2012.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 6 of Act No. 22-2012, as amended, is hereby amended to read as follows:

“Section 6.- Report Required to Resident Individual Investors.-

Any Resident Individual Investor who holds a decree issued under this Act shall file annually an authenticated report with the Exemption Office and a copy thereof with the Secretary of the Treasury thirty (30) days after filing the income tax return with the Department of the Treasury, including any extension thereof. The Executive Director of the Exemption Office may grant a thirty (30)-day extension if so requested in writing before the term to file the Report expires; provided, that there is just cause therefor and it is so stated in the request...”

Section 2.- Section 8 of Act No. 22-2012, as amended, is hereby amended to read as follows:

“Section 8.- Fees.-

In addition to the fees established for the transactions established in Section 3 of this Act, every grantee shall pay to the Secretary, by means of internal revenue stamps in any Internal Revenue Collections Center of the Department of the Treasury, certified check or postal money order, fees equal to five thousand (\$5,000) dollars. The Secretary of the Treasury shall create a special fund, denominated as the “Special Fund under the Act to Promote the Relocation of Individual Investors to Puerto Rico,” where all the funds generated as a result of the fees collected under this Act shall be deposited. The Secretary shall administer such funds as an independent treasury and shall use such funds to defray any expenses incurred in the promotion, administration, and implementation of this Act. The Secretary may also use such funds to promote the relocation of individual investors to Puerto Rico. The Secretary shall require grantees one hundred percent (100%) of said fees upon issuance of the decree.”

Section 3.-Severability.-

If any article, subsection, paragraph, or part of this Act were held to be null or unconstitutional by a Court of competent jurisdiction, the holding to such effect shall not affect, impair, or invalidate the remaining provisions thereof.

Section 4.- Effectiveness.-

This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 191-2015 (S. B. 1344) (Conference)** of the **6th Regular Session** of the **17th Legislative Assembly of Puerto Rico:**

AN ACT to amend Section 6 and Section 8 of Act No. 22-2012, as amended, known as the “Act to Promote the Relocation of Individual Investors to Puerto Rico,” in order to amend the deadline to file the Annual Report with the Tax Exemption Office, make technical amendments related to the provisions to make the payment of fees and conform them to the provisions of Act No. 171-2014, which creates and attaches the Film Industry Development Program, the Youth Development Program, and the Puerto Rico Workforce Development and Training Program to the Department of Economic Development and Commerce and empowers the Department to regulate the payment of official expenses as well as to custody and administer the funds of the Department as an independent treasury.

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

In San Juan, Puerto Rico, on this 16th day of December, 2015.

Juan Luis Martínez Martínez
Director