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Puerto Rico Democracy Act of 2010 (Engrossed as Agreed to or Passed by House)

HR 2499 EH

111th CONGRESS

2d Session

H. R. 2499

AN ACT

To provide for a federally sanctioned self-determination process for the people of Puerto Rico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ` Puerto Rico Democracy Act of 2010'.

SEC. 2. FEDERALLY SANCTIONED PROCESS FOR PUERTO RICO'S SELF-DETERMINATION.

(a) First Plebiscite- The Government of Puerto Rico is authorized to conduct a plebiscite in Puerto Rico. The 2 options set forth on the ballot shall be preceded by the following statement: ` Instructions: Mark one of the following 2 options:

` (1) Puerto Rico should continue to have its present form of political status. If you agree, mark here **XX**.

` (2) Puerto Rico should have a different political status. If you agree, mark here **XX**.'.

(b) Procedure if Majority in First Plebiscite Favors Option 1- If a majority of the ballots in the plebiscite are cast in favor of Option 1, the Government of Puerto Rico is authorized to conduct additional plebiscites under subsection (a) at intervals of every 8 years from the date that the results of the prior plebiscite are certified under section 3(d).

(c) Procedure if Majority in First Plebiscite Favors Option 2- If a majority of the ballots in a plebiscite conducted pursuant to subsection (a) or (b) are cast in favor of Option 2, the Government of Puerto Rico is authorized to conduct a plebiscite on the following 4 options:

(1) Independence: Puerto Rico should become fully independent from the United States. If you agree, mark here **XX**.

(2) Sovereignty in Association with the United States: Puerto Rico and the United States should form a political association between sovereign nations that will not be subject to the Territorial Clause of the United States Constitution. If you agree, mark here **XX**.

(3) Statehood: Puerto Rico should be admitted as a State of the Union. If you agree, mark here **XX**.

(4) Commonwealth: Puerto Rico should continue to have its present form of political status. If you agree, mark here **XXX**.

SEC. 3. APPLICABLE LAWS AND OTHER REQUIREMENTS.

(a) Applicable Laws- All Federal laws applicable to the election of the Resident Commissioner shall, as appropriate and consistent with this Act, also apply to any plebiscites held pursuant to this Act. Any reference in such Federal laws to elections shall be considered, as appropriate, to be a reference to the plebiscites, unless it would frustrate the purposes of this Act.

(b) Rules and Regulations- The Puerto Rico State Elections Commission shall issue all rules and regulations necessary to carry out the plebiscites under this Act.

(c) Eligibility To Vote- Each of the following shall be eligible to vote in any plebiscite held under this Act:

(1) All eligible voters under the electoral laws in effect in Puerto Rico at the time the plebiscite is held.

(2) All United States citizens born in Puerto Rico who comply, to the satisfaction of the Puerto Rico State Elections Commission, with all Commission requirements (other than the residency requirement) applicable to eligibility to vote in a general election in Puerto Rico. Persons eligible to vote under this subsection shall, upon timely request submitted to the Commission in compliance with any terms imposed by the Electoral Law of Puerto Rico, be entitled to receive an absentee ballot for the plebiscite.

(d) Certification of Plebiscite Results- The Puerto Rico State Elections Commission shall certify the results of any plebiscite held under this Act to the President of the

United States and to the Members of the Senate and House of Representatives of the United States.

(e) English Language Requirements- The Puerto Rico State Elections Commission shall--

(1) ensure that all ballots used for any plebiscite held under this Act include the full content of the ballot printed in English;

(2) inform persons voting in any plebiscite held under this Act that, if Puerto Rico retains its current political status or is admitted as a State of the United States, the official language requirements of the Federal Government shall apply to Puerto Rico in the same manner and to the same extent as throughout the United States; and

(3) inform persons voting in any plebiscite held under this Act that, if Puerto Rico retains its current political status or is admitted as a State of the United States, it is the Sense of Congress that it is in the best interest of the United States for the teaching of English to be promoted in Puerto Rico as the language of opportunity and empowerment in the United States in order to enable students in public schools to achieve English language proficiency.

(f) Plebiscite Costs- All costs associated with any plebiscite held under this Act (including the printing, distribution, transportation, collection, and counting of all ballots) shall be paid for by the Commonwealth of Puerto Rico.

Passed the House of Representatives April 29, 2010.

Attest:

Clerk.

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