

Executive Order No. 2019-031 Creates Lobbyist Registry in Puerto Rico

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PRACTICE AREAS

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An McV Government Affairs Alert

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On July 2, 2019, former Governor Ricardo Rosselló Nevares issued Executive Order No. 2019-031 to create, similar to other mainland, states, and federal jurisdictions, a Lobbyist Registry before the Government of Puerto Rico and Establish the Total Transparency Code for the Agency Heads of the Executive Branch (the “Executive Order”). The Executive Order prohibits all agency heads of the executive branch from participating in any meeting, whether in person, by phone or video conference, with any person, natural or legal, who engages in the lobbying practice, without being duly registered in the Registry of Lobbyists of Puerto Rico (the “Registry”).

The term “lobbyist” is defined in the Executive Order as any individual acting as an agent of another person, natural or legal, and that receives any type of compensation to carry out lobbying activities. The Executive Order specifically mentions law firms, CPA firms, advertising agencies, communications firms and permit management firms that are interested in lobbying and/or provide lobbying services in the Executive Branch are subject to the Executive Order and therefore registration. The lobbying activities are established as those communications, verbal or written, by any means, addressed to any officer of the Executive Branch, made in the name of another natural or legal person in relation to:

1. the preparation, adoption, amendment or derogation of any regulation, administrative order, executive order, public policy, as well as any position assumed by the Government of Puerto Rico;
2. the preparation and formulation of legislation;
3. the administration or execution of any state program or public policy, including, but not limited to, the negotiation, concession or administration of any contract to offer or receive goods and/or services, loans, obtaining of permits and/or licenses, the intervention in bidding processes, as well as the adjudication of formal or informal auctions;
4. any other governmental matter that influences or impacts the formulation, implementation and execution of public policy

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To that end, the former Governor delegated to the Department of Justice the creation of the Registry through a digital platform of public nature which is already implemented and is now available through the Department's website: www.justicia.pr.gov. The information required by the Executive Order is limited to the name and address of the client for which lobbying services are being provided in the agencies of the Executive Branch and government-owned public corporations, and a list of attorneys authorized within the law firm to carry out such lobbying efforts.

Please note that **McConnell Valdés LLC is in full compliance with the terms of the Executive Order 2019-031.**

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