



PROCLAMATION OF THE GOVERNOR OF PUERTO RICO

**Holding of a Ballot Measure Election
"Act to Implement the 2020 Plebiscite Petition for Statehood"
November 5, 2024**

Administrative Bulletin No: P-2024-277

WHEREAS: The Legislative Assembly and the Governor of Puerto Rico approved Act No. 165-2020, known as an "Act to Implement the 2020 Plebiscite Petition for Statehood," which provides for the holding of a voting in order to enforce the will of an absolute majority of voters as expressed in the November 3, 2020 Plebiscite, including such voting as are necessary arising from any electoral petition, proposal, response, or ratification related to the political status of Puerto Rico presented or requested by one or the two houses of Congress, the United States President or both.

WHEREAS: Act No. 165-2020, provides that all citizens who meet the requirements of this Act and the Puerto Rico Election Code shall be considered qualified voters, to wit: be a citizen of the United States of America and legally domiciled in the jurisdiction of Puerto Rico; be eighteen (18) years of age by the date of this voting; be duly qualified as such before the holding of the voting, and not have been declared mentally incompetent by a Court. Interested citizens, including new voters, who need to carry out any transaction in the General Voter Registry before the registration deadline, shall have up to fifty (50) days before the holding of the voting to update their status, restore their registration, or register to vote. In addition, if necessary, the aforementioned date shall serve as the deadline for voters to request transfers or relocations, as well as request Early Voting and Voting at an Accessible Polling Place. Voters eligible for Absentee Voting shall have up to forty-five (45) days before the holding of the voting to request Absentee Voting. The Permanent Registration Boards (JIP) of the State Election Commission shall be open to the public to conduct all of these transactions during regular business hours.

THEREFORE: I, PEDRO R. PIÉRLUISI, Governor of Puerto Rico, in the exercise of the powers and duties conferred to me by Act No. 165-2020, hereby proclaim that:

FIRST: Voting Date
On Tuesday, November 5, 2024, a voting authorized under Act No. 165-2020, known as the "Act to Implement the 2020 Plebiscite Petition for Statehood," shall be held in every election precinct of Puerto Rico, and all qualified voters are hereby called to participate therein.

SECOND: Voting Hours
The voting process for this plebiscite shall be similar to that of the General Election in "open polling places" from nine o'clock in the morning (9:00 am) to five o'clock in the afternoon (5:00 p.m.). The Voting Day shall be a holiday. The "Dry Law" shall apply only during the aforementioned hours and with the exceptions provided in the Puerto Rico Election Code.

THIRD: Options to be Presented in the Voting
The plebiscite shall offer eligible voters the opportunity to choose one (1) of the options included in the "Puerto Rico Status Act," HR 8393. Hence, the following options shall be included in the ballot:

- (A) Statehood.
- (B) Independence,
- (C) Sovereignty in Free Association with the United States.

FOURTH: Meaning of the Options
The ballot shall include the following explanation of the options:

A. Statehood:
1. The State of Puerto Rico is admitted into the Union on an equal footing with the other States in all respects whatever and is a part of the permanent Union of the United States of America, subject to the United States Constitution, with powers not prohibited by the Constitution to the States and reserved to the State of Puerto Rico or to its residents.

- 2. The residents of Puerto Rico are fully self-governing with their rights secured under the United States Constitution, which shall be fully applicable in Puerto Rico and which, with the laws and treaties of the United States, is the supreme law and has the same force and effect in Puerto Rico as in the other States of the Union.
- 3. United States citizenship of those born in Puerto Rico is recognized, protected, and secured under the United States Constitution in the same way such citizenship is for all United States citizens born in the other States.
- 4. Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. Instead, the State of Puerto Rico will become a State on equal footing with each of the current 50 States in the United States of America, individuals and businesses resident in the State of Puerto Rico will be subject to United States Federal tax laws as well as applicable State tax laws.

B. Independence:

- 1. Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a constitution of its own adoption which shall be the supreme law of the nation.
- 2. Puerto Rico is vested with full powers and responsibilities consistent with the rights and responsibilities that devolve upon a sovereign nation under international law, including its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations.
- 3. Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and birth in Puerto Rico or relationship to persons with statutory United States citizenship by birth in the former territory shall cease to be a basis for United States nationality or citizenship, except that persons who have such United States citizenship have a right to retain United States nationality and citizenship for life, by entitlement of election as provided by Federal law.
- 4. Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. In general, United States citizens and United States businesses in the nation of Puerto Rico will be subject to United States Federal tax laws (as is the case with any other United States citizen or United States business abroad) and to Puerto Rican tax laws. Puerto Rico's status as an independent sovereign nation will be the controlling factor in the taxation of Puerto Rican taxpayers.
- 5. The Constitution and laws of the United States no longer apply in Puerto Rico and United States sovereignty in Puerto Rico is ended.

C. Sovereignty in Free Association with the United States:

- 1. Puerto Rico is a sovereign nation that has full authority and responsibility over its territory and population under a constitution of its own adoption which shall be the supreme law of the nation.
- 2. Puerto Rico is vested with full powers and responsibilities consistent with the rights and responsibilities that devolve upon a sovereign nation under international law, including its own fiscal and monetary policy, immigration, trade, and the conduct in its own name and right of relations with other nations and international organizations, except as otherwise provided for in the Articles of Free Association to be negotiated by Puerto Rico and the United States.

- 3. Puerto Rico has full authority and responsibility over its citizenship and immigration laws, and persons who have United States citizenship have a right to retain United States nationality and citizenship for life by entitlement or election as provided by Federal law.
- 4. Birth in Puerto Rico shall cease to be a basis for United States nationality or citizenship. Individuals born in Puerto Rico to at least one parent who is a citizen of the United States shall be United States citizens at birth, consistent with the Immigration laws of the United States, for the duration of the first agreement of the Articles of Free Association.
- 5. Puerto Rico enters into Articles of Free Association with the United States, with such devolution and reservation of governmental functions and other bilateral arrangements as may be agreed to by both parties under the Articles, which shall be terminable at will by either the United States or Puerto Rico at any time.
- 6. Puerto Rico will no longer be a possession of the United States for purposes of the Internal Revenue Code. In general, United States citizens and United States businesses in the nation of Puerto Rico will be subject to United States Federal tax laws (as is the case with any other United States citizen or United States business abroad) and to Puerto Rican tax laws. Puerto Rico's status as an independent, sovereign nation will be the controlling factor in the taxation of Puerto Rican taxpayers. In addition, Puerto Rico will enter into an agreement with the United States to provide "Sovereignty in Free Association" between the two nations. This agreement may modify the otherwise applicable tax rules, subject to negotiation and ratification by the two nations.
- 7. The Constitution of the United States no longer applies in Puerto Rico, the laws of the United States no longer apply in Puerto Rico except as otherwise provided in the Articles of Free Association, and United States sovereignty in Puerto Rico is ended.
- 8. All matters pertaining to the government-to-government relationship between Puerto Rico and the United States, which may include foreign affairs, trade, finance, taxation, currency, economic assistance, security and defense, dispute resolution and termination, shall be provided for in the Articles of Free Association.

FIFTH: Certification of Results
 The counting of ballots and the certification of the results by the State Election Commission shall only be carried out pursuant to the holding of the Suprema Court of Puerto Rico in *Suárez-Cáceres v. Com. Estatal Elecciones*, 176 DPR 31, 73-74 (2009). A vote not cast, and any blank ballot cast and lacking a clear expression of the voter's intent "in no way may be counted for purposes of influencing or affecting the results of an election, referendum, or Plebiscite, among other voting events." Therefore, any interpretation of the results of this voting shall be subject to a valid vote for one of the options printed on the ballot. The absence of voters in the election or void or blank ballots cast shall never be used to suppress the intent of voters who democratically, voluntarily and validly exercised their right.

SIXTH: Vote Counting System
 The same electronic vote counting system used in the General Election shall be used in this voting. Said system shall be capable of tallying votes easily, securely, and reliably with security and auditing mechanisms that ensure the transparency of the voting and vote counting processes.

SEVENTH: Voter Identification
 In order to vote at the polling places, voters shall be required to provide their Voter Identification Card issued by the State Election Commission, regardless of the expiration date thereof, or any other valid identification card authorized by the Puerto Rico Election Code.

EIGHTH: Absentee and Early Voting
 In accordance with the Puerto Rico Election Code, the Commission shall guarantee the right to apply for an Absentee and Early Voting of all voters domiciled in Puerto Rico who qualify therefor within the period provided in the "Act to Implement the 2020 Plebiscite Petition for Statehood."

NINTH: Right to Vote Guaranteed
 The State Election Commission shall prescribe measures and remedies in order to guarantee the right to vote of any voter who, by reasons beyond his control, was unduly omitted from the General Voter Registry of Puerto Rico.

Pursuant to the Election Code, the Commission shall also implement mechanisms to allow bedridden voters whether at hospitals or at home, as well as voters with physical disabilities, residing in nursing homes, or confined in correctional institutions to vote.

Moreover, pursuant to the Election Code, no public or private employer shall prevent employees from exercising their right to vote.

TENTH: Education and Disclosure
 As part of the continuous efforts to educate and inform citizens and voters of the scope of the Act enabling this voting and the electoral processes related to this Proclamation, not later than fifteen (15) days from the call for this voting, the Chair of the Commission shall publish and continually update in the Agency's website, a prominent space entitled "Act to Implement the 2020 Plebiscite Petition for Statehood" with the contents of this Act, this Proclamation, and any official material and information pertaining to this and other related voting.

ELEVENTH: Supplemental Laws
 In order to implement the provisions of the "Act to Implement the 2020 Plebiscite Petition for Statehood," the provisions of Act No. 51-2020, known as the "Act to Define Puerto Rico's Ultimate Political Status," Act No. 30-2017, as amended, known as the "Act for Equality and Congressional Representation of the United States Citizens of Puerto Rico," Act No. 58-2020, known as the "Puerto Rico Election Code of 2020," and Act No. 222-2011, as amended, known as the "Puerto Rico Political Campaign Financing Oversight Act," including the regulations adopted thereunder, shall be supplemental to this Act, in those matters that are not preempted by, or inconsistent with this Act.



IN WITNESS WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 1st day of July 2024.

Promulgated in accordance with the Law, on this 1st day of July 2024.

[Signature]
OMAR J. MARRERO
 Secretary of State.

[Signature]
PEDRO R. PIERLUISI
 Governor