

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN, PUERTO RICO**

Administrative Bulletin Number: OE-2022-047

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. PEDRO R. PIERLUISI ISSUED FOR THE PURPOSE OF PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES DUE TO THE STATE OF EMERGENCY CAUSED BY THE IMMINENT PASSAGE OF TROPICAL STORM FIONA THROUGH THE ISLAND.

WHEREAS: The primary purpose of the Government of Puerto Rico is to safeguard public order, and to protect the lives, property, and safety of all citizens on the Island.

WHEREAS: The National Hurricane Center (NHC) of the National Weather Service issued a tropical storm warning for Puerto Rico. A tropical storm warning means that tropical storm conditions are expected to occur in the warned area within the next several hours. It was indicated that, starting at night today, September 17, 2022, Puerto Rico is expected to experience sustained winds of up to sixty (60) miles per hour and five (5) to ten (10) inches of strong rainfall, with greater numbers in certain regions, which may lead to flashfloods and landslides. The NHC also issued a hurricane watch, which means hurricane conditions may occur within the area under watch. In Puerto Rico, such conditions may occur either tonight or on Sunday.

WHEREAS: The passage of this atmospheric phenomenon may cause damages. This threat has created an emergency situation for public safety, services and basic utilities for citizens, economic activity, and social wellbeing in Puerto Rico.

WHEREAS: Faced with the passage of this tropical system, during which strong rainfall is expected, it is important that citizens remain at home so that their safety can be guaranteed. The consumption of alcoholic beverages at commercial establishments and their surroundings during this emergency may affect public order and safety.

WHEREAS: Article 5.10 of Act 20-2017, as amended, better known as the “Puerto Rico Public Safety Department Act,” empowers me as Governor to decree a state of emergency, to “issue any state regulation, order, plan, or measure for emergency situations or disasters, or to modify them at their discretion,” and to “enact, amend, and repeal any regulation, and issue, amend, and rescind any order that I deem convenient to govern during the state of

emergency or disaster.

WHEREAS: Section 229 of Law No. 62 of June 23, 1969, as amended, known as the “Military Code of Puerto Rico,” authorizes the Governor to prohibit the sale of alcoholic beverages in emergency situations when the Governor orders the Armed Forces of Puerto Rico, or any parts of it, to be mobilized and enter Active State Military Service.

WHEREAS: Through Administrative Bulletins OE-2022-045 and OE-2022-046, we declared a state of emergency due to the passage of tropical storm Fiona and I activated the Puerto Rico National Guard to provide assistance.

THEREFORE: I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the laws of the Government of Puerto Rico, hereby declare and order the following:

Section 1: **PROHIBITION OF THE SALE OF ALCOHOLIC BEVERAGES.**
The sale of alcoholic beverages is prohibited at commercial establishments throughout Puerto Rico, except at lodgings.

Section 2: **IMPLEMENTATION.** As a precautionary measure, before the arrival of this tropical storm, the prohibition of the sale of alcoholic beverages imposed in Section 1 of this Executive Order shall enter into force today, September 17, 2022, at 6:00 p.m. and shall remain in effect until 11:59 p.m. of September 18, 2022. The Governor may extend or reduce the term of the prohibition established in this Order without the need to issue another Executive Order.

Section 3: **NON-COMPLIANCE.** Violating the provisions of this Executive Order may result in the revocation of the commercial establishment’s liquor license issued by the Secretary of the Treasury.

Section 4: **DEFINITIONS.** The term “alcoholic beverages” shall be defined as established in Law No. 1-2011, as amended, known as the “Puerto Rico Internal Revenue Code of 2011”. The term “lodging” shall defined as established in Article 2 of Law No. 272-2003, as amended, known as the Puerto Rico Room Occupancy Rate Tax Act”.

The term “commercial establishment” shall refer to any venue, store, or analogous location where any kind of commercial

operation or commercial acts where goods are sold or transferred takes place.

Section 5: **NON-CREATION OF ENFORCEABLE RIGHTS.** This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.

Section 6: **SEVERABILITY.** The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such decision shall not affect the validity of the remaining provisions, which shall remain in full force.


Section 7: **PRIOR ORDERS SUPERSEDED.** This Executive Order shall supersede any other executive order that may, in whole or in part, be inconsistent with the provisions herein, to the extent of such inconsistency.

Section 8: **PUBLICATION.** This Executive Order must be filed immediately with the Department of State and the widest possible publication is hereby ordered.

Section 9: **VALIDITY.** This Executive Order shall enter into force immediately and remain in force until it is amended or revoked by a future Executive Order or by a law.



IN TESTIMONY WHEREOF, I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed, at La Fortaleza, in San Juan, Puerto Rico, on this 17th day of September of 2022.


PEDRO R. PIERLUISI
GOBERNADOR

Enacted in accordance with the law on this 17 day of September of 2022.


OMAR J. MARRERO DÍAZ
SECRETARY OF STATE