

NEWSLETTER

Editor's Note: This special Q4 2025 final edition examines selected laws enacted at the close of Puerto Rico's legislative year, with emphasis on those that impact transparency and incentives. We will continue our efforts in 2026 and as always we welcome your feedback.

Q4 2025 Legislative Close-Out

Signed Laws, Emerging Regulatory Frameworks, and the Future Access to Information in Puerto Rico.

As 2025 ends, the legislature has been moving to send bills for enactment. It has been an active end of session. This special edition focuses only on enacted laws.

Remarkably, the Transparency Act was subjected to yet another modification, this time via **Act 156-2025**, a statute that introduces procedural changes to the manner in which documents may be requested.

The statute amends **Act 141-2019**, Puerto Rico's Transparency and Expedited Procedure for Access to Public Information Act. While it formally reaffirms access to information as public policy, its most significant impact lies not in the recognition of the right itself, but in the conditions under which that right may now be exercised.

In practical terms, transparency now operates through procedural requirements rather than as an ask and delivery mechanism.

Key Procedural Changes:

- Extended response timelines
 - Agencies now have up to 20 business days to respond to simple requests, and up to 30 business days, with extensions, for requests of older, larger, or more complex records.
- Greater Agency discretion over the format of the disclosure
 - Agencies are no longer required to provide records in the format requested. This flexibility may limit the usability of data for audits, analyses, investigations, or litigation preparation.
- Constraints on broad or fragmented requests
 - Requests may be denied where information is dispersed across multiple documents or agencies, placing a higher burden on requesters to precisely define the scope of the request.
- Increased emphasis on administrative remedies
 - The statute denies judicial intervention, without first challenging denials via the standard administrative procedure.

As anticipated, **Act 156-2025** does not eliminate the right of access to public information, but it places barriers to access and makes challenging governmental decisions more costly and time consuming.

From now on access will be contingent on the requester's ability to define scope, to correctly identify the holder of the information, to have prior knowledge of agency records, and ultimately, all this technical precision might also need to be accompanied by a robust legal team that can challenge the limitations set forth.

Other Notable Measures Signed Out in Q4 2025

Senate Bill 651 | Incentives and Intergenerational Entrepreneurship

Signed as Act 175-2025

This measure amends Puerto Rico's Incentives Code (Act 60-2019) to ensure that incentives aimed at new entrepreneurs are not conditioned on age. The law formally recognizes both young entrepreneurs and older adults, while promoting intergenerational collaboration as a tool to strengthen the broader business ecosystem.

Practically, it expands eligibility and limits restrictive interpretations that previously excluded certain groups, particularly in self-employment and small-business initiatives.

Senate Bill 57 | "Cost Plus" Contract Fraud: Reduced Discretion, Heightened Exposure

Signed as Act 167-2025

Act 167-2025 amends Puerto Rico's Penal Code to define fraud more strictly in construction and public works contracts structured under cost-plus arrangements. The statute penalizes the manipulation or falsification of costs intended to artificially inflate profit margins and mandates restitution to injured parties regardless of alternative sentencing.

The law also requires courts to notify relevant licensing and regulatory agencies upon conviction, potentially triggering license revocation proceedings.

The result is a significant reduction in tolerance for cost-manipulation practices, with increased criminal and administrative exposure for contractors and related entities.

Looking Ahead to 2026

The 2025 legislative close-out shows that the most consequential changes do not always come from sweeping reforms, but rather through procedural adjustments that alter the operational landscape.

Act 156-2025 clearly shows this shift. The right to access public information remains, but the pathway to exercising that right is now narrower. As 2026 approaches, success in legal, regulatory, and investigative contexts will depend increasingly on early planning, strategic foresight, and procedural precision.

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