

COMMITTEE ON RULES AND JUDICIARY

BILL NO. 31-0356

Thirty-first Legislature of the Virgin Islands

April 21, 2016

An Act amending title 18 Virgin Islands Code, chapter 13, relating to qualifications of electors

PROPOSED BY: Senators Kenneth L. Gittens

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 18 Virgin Islands Code, chapter 13, is amended as follows:

(a) Section 262, subsection (a) as follows:

(1) By striking “maintained legal residence” where it first appears and inserting “resided”;

(2) By striking “the election” where it appears in the second instance and inserting “an election cycle”;

(3) By striking “primary or election” where it appears after the phrase “30 days before the” and inserting “the election cycle”;

(4) In the third sentence: (1) by striking “as to legal residence” and inserting “regarding residency”; (2) by striking “the board of elections shall request”; (3) by striking “to” after “registrant” and inserting “must”; (4) by inserting

1 “to the board” after “submit” and (5) by striking “legal residence” and inserting
2 “residency”; and

3 (5) By striking the fourth sentence, including paragraphs (1) through
4 (5).

5 (b) Section 262, subsection (b) is amended by striking the “s” from “boards”.

6 (c) Section 262 is further amended by re-designating the subsections
7 accordingly and adding a new subsection (a) to read as follows:

8 “(a) Domicile is the place where a person habitually resides when not called
9 elsewhere to work or for some temporary purpose and to which such person returns in
10 season for rest. Domicile must be determined in accordance with the following rules:

11 (1) Every person has a domicile.

12 (2) There can be but one domicile.

13 (3) Domicile may be changed by joinder of act and intent.

14 (4) A domicile cannot be lost until a new one has been acquired.”

15 (d) Section 265 is amended by striking “Board of Elections” and inserting
16 “Election System”.

17 **BILL SUMMARY**

18 The amendments to title 18 Virgin Islands Code, section 262, subsection (a) to state
19 precisely that a person has to be a resident of the Virgin Islands in order to be eligible to
20 vote in the Virgin Islands and amends and subsection (b) to reflect one board instead of
21 joint board. Section 265 is amended to reflect that elections are administered by the
22 Election System and not the Board of Elections.
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25 **BR16-1291/April 5, 2016/SLR**
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