

BILL NO. 34-0231

Thirty-Fourth Legislature of the Virgin Islands

April 5, 2022

An Act renewing and extending the Declaration of a State of Emergency in the United States Virgin Islands based on the COVID-19 coronavirus pandemic for an additional 30 days from April 10, 2022, to May 10, 2022

PROPOSED BY: Senator Donna A. Frett-Gregory by Request of the Governor

1 **WHEREAS**, on March 13, 2020, the President of the United States of America, pursuant
2 to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et. seq.*, and
3 consistent with Section 1135 of the Social Security Act, as amended, 42 U.S.C. § 1320b-5,
4 declared that the COVID-19 coronavirus outbreak that began in the United States of America
5 on January 20, 2020, constituted a national emergency;

6 **WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing
7 COVID-19 coronavirus outbreak a pandemic of sufficient severity and magnitude to warrant
8 an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant
9 to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42
10 U.S.C. §§ 5121-5207;

11 **WHEREAS**, the Governor of the Virgin Islands issued an Executive Order and
12 Proclamation Declaring a State of Emergency due to the COVID-19 coronavirus pandemic

1 dated March 13, 2020, (“Declaration of a State of Emergency”) to coordinate the Territory’s
2 response and protective actions to address the COVID-19 public health emergency and to
3 provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands
4 and has supplemented the Executive Order and Proclamation with additional orders;

5 **WHEREAS**, the Governor established a VI Task Force on COVID-19 Preparedness,
6 Response and Mitigation to work with territorial, local, and federal partners in responding to
7 challenges posed by COVID-19;

8 **WHEREAS**, the Governor designated the Commissioner of the Virgin Islands
9 Department of Health (“DOH”) as the Incident Commander to direct the territorial response
10 and directed the Commissioner of the Virgin Islands Department of Human Services and the
11 Director of the Virgin Islands Territorial Emergency Management Agency to provide any
12 necessary support to the Incident Commander;

13 **WHEREAS**, the DOH has organized a Public Health Incident Management Team to
14 manage the public health impacts of COVID-19 in the Territory;

15 **WHEREAS**, on April 2, 2020, the President of the United States declared that a major
16 disaster exists in the Territory of the United States Virgin Islands as a result of COVID-19;

17 **WHEREAS**, the COVID-19 coronavirus, as of April 1, 2022, has infected over 488
18 million people and killed over 6.14 million people around the world, including 977,495 deaths
19 in the United States, according to a tally reported by the Center for Disease Control and
20 Prevention (“CDC”) from official government figures, though the true numbers are believed to
21 be far higher;

22 **WHEREAS**, the Virgin Islands DOH received confirmation from the CDC that, as of
23 March 29, 2022, as many as 15,636 persons, including 111 deceased persons, have tested

1 positive for COVID-19 in the United States Virgin Islands and the DOH is currently awaiting
2 results of tests conducted on additional individuals;

3 **WHEREAS**, the COVID-19 pandemic is projected to continue through the year 2022
4 and will require continuing diligence in combating the pandemic;

5 **WHEREAS**, pursuant to title 23 Virgin Islands Code, section 1005(d), the existing
6 Declaration of a State of Emergency may not last longer than 30 days unless renewed by the
7 Governor;

8 **WHEREAS**, to extend the Declaration of a State of Emergency beyond the first two 30-
9 day periods, the Governor must submit legislation to the Legislature of the Virgin Islands
10 requesting an extension of the Declaration of a State of Emergency;

11 **WHEREAS**, pursuant to title 23 Virgin Islands Code, section 1005(d), the Governor has
12 submitted a request and proposed legislation for an extension and for ratification of the existing
13 Declaration of a State of Emergency initially declared on March 13, 2020, and as supplemented,
14 renewed, and extended, from April 10, 2022, to May 10, 2022, a 30-day period; and

15 **WHEREAS**, the need for the Territory of the United State Virgin Islands to remain in
16 a state of emergency to respond to and combat the COVID-19 pandemic and to comply with
17 federal guidelines for the safety of its people and its visitors is paramount; Now therefore,

18 ***Be it enacted by the Legislature of the Virgin Islands:***

19 **SECTION 1.** The Legislature of the Virgin Islands, pursuant to title 23 Virgin Islands
20 Code, section 1005(d), having received the request from the Governor of the Virgin Islands to
21 extend the Declaration of a State of Emergency in the United States Virgin Islands, which
22 includes the specific reasons for the extension, the time-period of the extension, and a plan of
23 action to address the conditions that necessitate the extension of the Declaration of a State of
24 Emergency, approves the extension and renewal of the Declaration of a State of Emergency

1 due to the COVID-19 coronavirus pandemic from April 10, 2022, until May 10, 2022, unless,
2 before the expiration of this renewal, the Governor of the Virgin Islands finds that a state of
3 emergency no longer exists and, as a result, terminates the Declaration of a State of Emergency.

4 **BILL SUMMARY**

5 The bill approves the Governor of the Virgin Islands request for an extension of the
6 Declaration of a State of Emergency in the Territory of the United States Virgin Islands due to
7 the COVID-19 coronavirus pandemic.

8 **BR22-1015/April 5, 2022/SLR**

9 **G34-034**