An Act extending the State of Emergency in the U.S. Virgin Islands based on the COVID-19 Pandemic for an additional 60 days from March 8, 2021 to May 7, 2021

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

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

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

WHEREAS, the Governor issued Executive Order and Proclamation Declaring a State of Emergency due to the COVID-19-Coronavirus Pandemic dated March 13, 2020, to
coordinate the Territory’s response and protective actions to address the Coronavirus Disease 2019 ("COVID-19") public health emergency and to provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands and has supplemented the Executive Order and Proclamation with additional Orders;

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

**WHEREAS**, the Governor designated the Commissioner of the Virgin Islands Department of Health as the Incident Commander to direct the territorial response and directed the Commissioner of the Virgin Islands Department of Human Services and the Director of the Virgin Islands Territorial Emergency Management Agency to provide any necessary support to the Incident Commander;

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

**WHEREAS**, on April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the U.S. Virgin Islands based on COVID-19;

**WHEREAS**, the outbreak, as of February 28, 2021, has infected over 114 million people and killed over 2.5 million people around the world, including more than 510,000 deaths in the U.S., according to a tally compiled by Johns Hopkins University from official government figures, though the true numbers are believed to be far higher;

**WHEREAS**, the Virgin Islands Department of Health received confirmation from the Center for Disease Control that, as of February 26, 2021, 2646 persons, including 25 deceased persons, have tested positive for COVID-19 in the Virgin Islands and currently await results of tests conducted on additional individuals;

**WHEREAS**, the COVID-19 pandemic is projected to continue through the end of 2021, and will require continuing diligence in combating the pandemic;
WHEREAS, the existing State of Emergency was extended by operation of law pursuant to title 23 Virgin Islands Code, section 1005 (d) and therefore may not exist longer than 30 days unless the Governor submits a subsequent request for an extension before this automatic extension expires;

WHEREAS, pursuant to 23 V.I.C. § 1005 (d), the Governor has submitted a request and proposed legislation to extend the existing State of Emergency for a 60-day period from March 8, 2021, to May 7, 2021;

WHEREAS, the need for the Territory of the Virgin Islands to remain in a State of Emergency to respond to combat this COVID-19 pandemic and comply with federal guidance for the safety of our people and our visitors is paramount; and

WHEREAS, having received the request of the Governor of the Virgin Islands to extend the State of Emergency in the Virgin Islands, including an explanation of the specific reasons for the extension, the time period of the extension, and a plan of action to address the conditions that necessitate the extension of the State of Emergency, the Legislatures finds that an extension of the State of Emergency is consistent with 23 V.I.C. § 1005(d); Now, Therefore,

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Pursuant to title 23 Virgin Islands Code, section 1005, subsection (d), the Legislature of the Virgin Islands, extends the State of Emergency due to the Coronavirus Disease 2019 Pandemic from March 8, 2021, until May 7, 2021, unless, before the expiration of this renewal, the Governor of the Virgin Islands finds that a state of emergency no longer exists and as a result, terminates the State of Emergency.

BILL SUMMARY

The purpose of this bill is to grant the Governor’s extension of the State of Emergency in the Territory of the U.S. Virgin Islands due to the COVID-19 Pandemic.

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