

BILL NO. 36-0076

Thirty-Sixth Legislature of the Virgin Islands

May 8, 2025

An Act repealing title 25 Virgin Islands Code, chapter 17, section 501 and amending title 32 Virgin Islands Code, chapter 21 by adding an article XVII relating to cruise ship gaming in the territorial waters of the Virgin Islands

PROPOSED BY: Senator Marise C. James
Co-sponsor: Clifford A. Joseph

WHEREAS, it is expedient to make provision for the operation of casinos on board a cruise ship while berthed at piers in the Virgin Islands to encourage the growth and development of tourism in the Virgin Islands and to exempt licensed cruise ships from gaming restrictions;
Now Therefore,

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 25 Virgin Islands Code, chapter 17, section 501 is repealed.

SECTION 2. Title 32 Virgin Islands Code, chapter 21 is amended by adding the following article XVIII:

“Article XVIII. Cruise Ship Casino Gaming

§ 1101. Definitions

As used in this article:

- (1) “Berth” means to moor or anchor a cruise ship at a dock, pier, wharf, or anchorage.

(2) "Casino" means any room or place on a cruise ship that is kept and managed for gain by any cruise line and in which persons may engage in gaming.

(3) "Casino game" means baccarat, blackjack, twenty-one, poker, craps, dice, slot machines, roulette wheels, Klondike tables, Mah Jongg, electronic table games, hybrid table games, punchboards, faro layouts, numbers tickets, push cards, jar tickets, or pull tabs, or any variation of the aforementioned games, and any other activity that is authorized by the Commission as a wagering game or device.

(4) "Cruise ship" means a ship operating not less than 100 days a year anywhere in the world, provides cruises of not less than 48 hours in length for ticketed passengers, provides overnight accommodations for not less than 500 passengers, is operated by a cruise line, and is certified under the International Convention for the Safety of Life at Sea or otherwise certified by the United States Coast Guard.

(5) "Cruise Line" means a company that operates a cruise ship.

(6) "Gaming" means the playing of a game of chance of any kind for winnings in money or something of value whether the person playing the game is at risk of losing money or something of value or not.

(7) "Territorial waters" means the marine water over which the Virgin Islands has jurisdiction that extends not more than three nautical miles offshore.

§ 1102. (a) Notwithstanding any other provision of law to the contrary, cruise ships berthed at a pier in St. Croix, St. Thomas, or St. John may operate their onboard casinos after 5 p.m. A cruise line may allow casino gaming in territorial waters of the Virgin Islands only if:

(1) the casino gaming is ancillary to the cruise and the cruise has scenic cruising and port visits as its main purpose; and

(2) casino gaming activities are limited to passengers 21 years of age and older.

(b) Before allowing casino gaming in the territorial waters, on a form prescribed by the Virgin Islands Casino Commission, a cruise line shall notify the Commission of the cruise line's intent to conduct casino gaming in the territorial waters. The notification must include an attestation by an officer of the cruise line that complies with all applicable laws, regulations, and standards followed by the cruise line when providing casino gaming outside of the territorial waters. The Casino Commission shall provide a copy of the form to the Department of Tourism. A cruise line may not allow casino gaming in the territorial waters if the Commission determines that the cruise line has become ineligible to hold an exemption, provides false information in its notice, conducts casino gaming in violation of the provisions of this section or violates any guidelines promulgated by the Commission. The Commission may bar a cruise line from allowing gaming in the territorial water if it finds that the cruise line has committed a violation of this section.

(c) Cruise lines shall pay an annual filing fee to the Commission for each cruise ship on which casino gaming in the territorial waters will occur. The Commission shall determine the filing fee, which must not be less than \$10,000 annually.

(d) Funds generated from the filing fee must be used exclusively for the following purposes:

- (1) 40% to the Department of Health for the Mobile Integrated Health program;
- (2) 40% to the Department of Agriculture for the creation of a designated fruit orchard farm on the island of St. Croix; and
- (3) 20% to the Virgin Islands Casino Control Commission to cover its expenses associated with enforcing the provisions of this act.

SECTION 3. The Virgin Islands Casino Commission shall promulgate regulations for the administration of title 32 Virgin Islands Code, chapter 2, article XVIII. The

1 Commission shall complete the regulations not later than 90 days after the enactment of this
2 act.

3 **BILL SUMMARY**

4 This bill sets forth conditions under which a cruise line is permitted to allow casino
5 gambling while berthed at a pier in the Virgin Islands and in the territorial waters of the Virgin
6 Islands. It also provides for the allocation of monies received from an annual filing fee that the
7 cruise lines will pay. Finally, it provides that the Virgin Islands Casino Commission must
8 promulgate regulation not later than 90 days after the enactment date of bill.

9 **BR25-0262/March 28, 2025/SLR/Revised April 2, 2025/SLR**