

COMMITTEE ON DISASTER RECOVERY, INFRASTRUCTURE  
AND PLANNING

06/02/2023-REASSIGNED TO THE COMMITTEE ON HOMELAND SECURITY, JUSTICE AND  
PUBLIC SAFETY

**BILL NO. 35-0086**

**Thirty-Fifth Legislature of the Virgin Islands**

**May 31, 2023**

An Act amending title 3, Virgin Islands Code, chapter 1, section 10h to require background checks for all IT personnel and employees of the Bureau of Information Technology, agencies that have data centers, and any employee who handles classified information

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**PROPOSED BY:** Senator Dwayne M. DeGraff

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

2       **SECTION 1.** Title 3 Virgin Islands Code, chapter 1, section 10h is amended by adding  
3 subsection (e) to read as follows:

4       “(e) The Bureau of Information Technology and each territorial agency, department or  
5 independent instrumentality that utilizes, receives, or provides data processing services, with  
6 the assistance of the National Crime Investigation Center and the territorial law enforcement  
7 agencies shall conduct a criminal background check on all employees of and applicants for  
8 employment at the Bureau, IT personnel, and any employees of the referenced agencies,  
9 departments and independent instrumentalities who handle classified information and

1 applicants for employment at the respective agencies. An applicant for employment shall  
2 provide a police record, including a police record from any place the applicant may have lived  
3 before moving to the Virgin Islands, if applicable. Applicants for employment shall bear all  
4 costs associated with the background check. The respective agencies are responsible for the  
5 costs of background checks for current employees. The criminal record information is for  
6 governmental purposes only and must be kept confidential.

7 **BILL SUMMARY**

8 This bill amends title 3, Virgin Islands Code, chapter 1, section 10h to require background  
9 checks be conducted with the assistance of the National Crime Center and territorial law  
10 enforcement agencies for all IT personnel and employees of the Bureau of Information  
11 Technology, agencies that have data centers, and any employee who handles classified  
12 information.

13 **BR23-0124/April 24, 2023/NS**