

**Drafted & Reviewed
By Legal Counsel**

s/AWCJR

**AMENDMENT IN THE NATURE OF A SUBSTITUTE TO BILL NO. 35-0117
Offered by Senator Novelle E. Francis, Jr.**

Bill No. 35-0117 is amended by striking all the language after the enacting clause and inserting new language that reads as follows:

SECTION 1. Title 27, chapter 15 of the Virgin Islands Code, section 421a. is amended in the following instances:

(a) Strike all the language in subsection (b) and replace it with the following new language:

“The Commission is composed of seven members appointed by the Governor, with the advice and consent of the Legislature, who are citizens of the United States and residents of the Virgin Islands. Three members must hold a valid Virgin Islands Real Estate Broker License for at least five consecutive years before the date of appointment; one member must be a licensed property manager; one member must be a licensed attorney; and two members must be persons who have never been licensed as a real estate broker or property manager in any jurisdiction. Three members shall reside on St. Croix, three members shall reside on St. Thomas, and one member shall reside on St. John.”

(b) Subsection (c) is amended as follows:

(1) Strike the first sentence;

(2) Strike “Thereafter, all” at the beginning of the second sentence and insert “All”;

(3) In the third sentence, insert “continue to” after “shall” and strike “the appointment and qualification of his successor” and insert “the member’s successor is appointed by the Governor and confirmed by the Legislature”; and

(4) Strike the last sentence.

(c) In subsection (d), strike “Chairman” in the heading and insert “Chairperson”, strike all the language after “to serve as” and insert the following new language: “Chairperson and one member to serve as Vice Chairperson. The Commission may appoint other members to perform the roles of Secretary and Treasurer, as considered appropriate to assist in the efficient functioning of the Commission.”

(d) In subsection (e), strike all the language after “without compensation, but” and insert the following new language: “are entitled to per diem and travel expenses for their attendance at each meeting of the Commission at the rate prescribed in 3 V.I.C. §65.”

AMENDMENT SUMMARY

This bill amends title 27, chapter 15, sections 421a and 422 of the Virgin Islands Code. Section 421a, subsection (b) was amended by changing the composition of the Real Estate Commission to require that three members must hold a valid Virgin Islands Real Estate Broker License for at least five consecutive years before the date of appointment; one member must be a licensed property manager; one member must be a licensed attorney; and two members must be persons who have never been licensed as a real estate broker or property manager in any jurisdiction. Current law requires that not more than three members be licensed as real estate brokers, one of which must be an attorney. Subsection (b) was also amended to require that three members reside on St. Croix, three members reside on St. Thomas, and one member reside on St. John. Current law requires that not more than three members reside on any one island. Section 421a., subsections (c) and (e) were amended by making technical amendments, and subsection (d) was amended to require the Commission to elect, in addition to a Chairperson, a Vice Chairperson, and to allow the Commission to appoint a Secretary and/or Treasurer.

Amendment No. 35-472/September 21, 2023/GC