

s/AWCJR

**AMENDMENT TO BILL NO. 36-0277
Offered by Senator Novelle E. Francis, Jr.**

Bill No. 36-0277 is amended in the following instances:

(a) In section 1:

(1) In article II, part 2:

(A) by striking internal §§2-201 through 2-212 and inserting the following new language:

“§2-201. [Reserved]

§2-202. Elective Share; Existing Law Retained.

The right of a surviving spouse to elect to take a share of the decedent’s estate in lieu of the provisions of the decedent’s will is governed by title 15 Virgin Islands Code, section 10 which is not repealed, superseded, or amended by this act and remains in full force and effect.

§2-203. [Reserved]

§2-204. [Reserved]

§2-205. [Reserved]

§2-206. [Reserved]

§2-207. [Reserved]

§2-208. [Reserved]

§2-209. [Reserved]

§2-210. [Reserved]

§2-211. [Reserved]

§2-212. [Reserved]”;

(B) in internal §2-214 by striking the existing language and inserting “[Reserved]”;

(2) in article II, part 4, internal §2-405 by striking subsection (b);

(3) in article II, part 5, internal §2-502, by adding the following subsection (d):

“(d) This section applies to nonelectronic wills. Electronic wills are governed by 15 V.I.C. §§ 51–62, and those sections control to the extent of any inconsistency.”;

(4) in article II, part 7

(A) in internal §2702, subsection (e), paragraph (2), by striking “county of the decedent’s residence” and inserting “the judicial division in which the decedent was domiciled, or if the decedent was not domiciled in the Virgin Islands, the judicial division in which property of the decedent was located, consistent with §3-201.”;

(B) in internal §2-703 by striking “described in Part 2” and inserting “governed by section 2-202”; and

(C) in internal §2-706, subsection (d), paragraph (2) by striking “county of the decedent’s residence” and inserting “the judicial division in which the decedent was domiciled, or if the decedent was not domiciled in the Virgin Islands, the judicial division in which property of the decedent was located, consistent with §3-201.”

(5) in article II, part 8, §2-803, subsection (h), paragraph (2) by striking “county of the decedent’s residence” and inserting “the judicial division in which the decedent was domiciled, or if the decedent was not domiciled in the Virgin Islands, the judicial division in which property of the decedent was located, consistent with §3-201.”

(6) In article II, part 8, §2-804, subsection (g), paragraph (2) by striking “county of the decedent’s residence” and inserting “the judicial division in which the decedent

was domiciled, or if the decedent was not domiciled in the Virgin Islands, the judicial division in which property of the decedent was located, consistent with §3-201.”

(7) In article III, part 1 by inserting a §3-110 as follows:

“§3-110. Publication of Notice; Qualified Online News Publication.

(a) Whenever this Article requires or permits notice to be given by publication, including under §§3-319, 3-403, and 3-801, the notice may be published in a newspaper of general circulation in the Virgin Islands or in a qualified online news publication.

(b) In this article, “qualified online news publication” means an online-only news publication that:

(1) publishes regularly updated general news coverage of the Virgin Islands;

(2) has published at least once per week for at least 50 of the preceding 52 weeks;

(3) has a clear and easily found link to its public notice section on its website homepage;

(4) provides free access to public notices, even if it charges for other content on its website; and

(5) keeps the notice continuously available on its website for the entire publication period and furnishes the person giving the notice an affidavit of publication stating the dates on which the notice was posted.”;

(8) in article III, part 3, in internal §3-301(a)(4)(i) by inserting “property” before “located”;

(9) in article III, part 9, internal §3-905, strike “imparting” and insert “seeking”;

(10) in article III, part 10, by adding the following §3-1009:

“§3-1009. Recording of Final Decrees and Closing Statements.

(a) Within 60 days after the entry of a final order or decree closing an estate under this Part, or the filing of a closing statement under section 3-1003 or section 3-1204, the personal representative shall cause a certified copy of the final order, decree, or closing statement, and of any will admitted to probate, to be recorded in the Office of the Recorder of Deeds, Office of the Lieutenant Governor, for each district, St. Croix or St. Thomas-St. John, in which is located real property that the decedent owned at the time of death or that is devised by the decedent's will.

(b) A final order, decree, or closing statement, when recorded under subsection (a), is notice to all persons of any devise or other disposition of real property located in the district in which it is recorded.

(c) The recording required by this section is in addition to, and does not limit, the recording of a judgment under section 3-321."

(11) in article III, part 12, internal §3-1201(a)(1), by striking "\$25,000.00" and inserting "\$150,000.00"; and

(12) In article III, part 12:

(A) internal §3-1203, by striking "native" and inserting "notice"; and

(B) by adding the following §3-1205:

"§3-1205. Summary Procedure for Modest Estates.

An estate whose value, less liens and encumbrances, does not exceed \$150,000.00 may be administered in a summary manner under rules prescribed by the Superior Court, consistent with this part."

(b) in section 3, subsection (a), by striking "2027" and inserting "2028, or six months after enactment, whichever is later.";

(c) by striking the existing language in section 4 and inserting the following:

“Nothing in this Act repeals or limits the Virgin Islands Uniform Electronic Wills Act, 15 V.I.C. §§ 51–62. In the case of an electronic will, chapter 1A governs to the extent of any inconsistency with article II, part 5 of this Act.”; and

(d) by adding the following section 5:

“**SECTION 5.** Title 15 Virgin Islands Code, part I, chapter 1 (15 V.I.C. §§ 1–42), Part I, chapter 3 (15 V.I.C. §§ 81–89), and Part II are repealed on the effective date of this Act; provided, however, that 15 V.I.C. §§ 10, 201, 201a, and 202 through 217, inclusive, are not repealed by this Act and remain in effect unless and until expressly amended, repealed, or recodified by subsequent legislation.”

Amendment No. 36-926/October 21 2026/LMW