

COMMITTEE ON GOVERNMENT OPERATIONS,
VETERANS AFFAIRS AND CONSUMER PROTECTION

01/08/2026-AMENDED AND REPORTED OUT TO THE FLOOR

10/27/2025-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

BILL NO. 36-0134

Thirty- Sixth Legislature of the Virgin Islands

August 26, 2025

An act repealing and reenacting title 18 Virgin Islands Code, chapter 1, section 2 relating to government employees' eligibility for elected offices, to allow government employees to run for political office while actively employed, unless specifically prohibited by federal or other laws

PROPOSED BY: Senators Marise C. James and Clifford A. Joseph Sr.
Sponsor: Avery L. Lewis

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

2 **SECTION 1.** Title 18 Virgin Islands Code, chapter 1, section 2 is repealed and reenacted
3 with amendments as follows:

4 **“§ 2. Government personnel candidacy for public office; leaves of absence; service**
5 **on Boards**

6 (a) Except for judicial officers and law clerks as delineated in subsection (f), persons
7 employed in the legislative, executive, or judicial branches of the Government of the Virgin
8 Islands are eligible for nomination as candidates for public office, and no employer may take
9 or threaten to take any personnel action against the employee because of the candidacy.

10 (b) A government employee may become a candidate for public office and remain in
11 active employment status with the Government of the Virgin Islands without taking a leave of
12 absence from governmental duties; except that a government employee seeking public office

1 must be granted paid leave from their accumulated annual leave 30 days prior to the general
2 election.

3 (c) A government employee retains all the rights and obligations of citizenship
4 provided in the Constitution and the laws of the United States and the laws of the Virgin
5 Islands; however, no government employee may:

6 (1) actively manage a campaign, or campaign for public office or otherwise
7 engage in political activity while on duty or when the employee is expected to perform
8 services for which the employee receives compensation from the Government; or

9 (2) use the authority of the employee's position, or utilize Government funds,
10 buildings, equipment, or materials, or otherwise misuse the employee's position in the
11 Virgin Islands Government to secure support for or oppose any candidate, party, or issue
12 in an election involving candidates for office or party nominations or affect the results
13 thereof.

14 (d) A government employee may become a candidate for the Virgin Islands Board of
15 Education, as provided for under 3 V.I.C. § 97, or a candidate for the Virgin Islands Board of
16 Elections, as provided under section 41 of this title, except that no employee of the Board of
17 Education or the Board of Election, if elected to the Board of which the candidate is an
18 employee, may serve as an employee of that Board during his incumbency.

19 (e) No member of the Board of Elections may be a candidate for any other public office
20 during the term for which the member was elected. A member of the Board of Elections must
21 resign his position on the Board before seeking any other public office.

22 (f) This section does not apply to justices of the Supreme Court, judicial officers and
23 law clerks who are governed by 4 V.I.C., subchapter IIA, section 27, the Virgin Islands Code
24 of Judicial Conduct, Sup. Ct. R. 213, and the Virgin Islands Code of Conduct for Law Clerks,
25 Sup. Ct. R. 103, or government employees becoming candidates for party offices or serving as
26 party officers.

1 (g) This section does not apply to campaign activity governed solely by federal law.
2 Notwithstanding any contrary provisions of this section, government employees who are paid
3 in whole by federal loans or grants, or whose jobs are related to an activity that receives federal
4 funds, are subject to and must comply with the restrictions imposed under title 5 U.S.C. §§
5 1501-1508 and by any other applicable law or regulation of the United States.”

6 **BILL SUMMARY**

7 The bill amends title 18 Virgin Islands Code, chapter 1, section 2 to allow government
8 employees to run for political office while actively employed, unless specifically prohibited by
9 federal or other laws.

10 **BR25-0326/July 25, 2025/SLR**

11 **[S:\AMENDS\36th Legislature\FRANCIS HEYLIGER, ALMA\Amendment 36-](#)**
12 **[610\Amendment No. 36-610 - \(REVISED\) DRAFTED ON YELLOW.docx](#)**

13 **[S:\AMENDS\36th Legislature\JAMES, MARISE C\Amendment 36-605\Amendment No.](#)**
14 **[36-605-DRAFTED ON YELLOW.docx](#)**