

**S/AWCJR**

**AMENDMENT TO BILL NO. 34-0344  
Offered by Senator Janelle K. Sarauw**

Bill No. 34-0344 is amended in the following instances:

(1) In section 1, internal § 3734a is amended as follows:

(1) In subsection (a) “automatically” is inserted before “expunged” and “upon Petition to the Court” is stricken;

(2) In subsection (c) “Petitioner” is stricken” and “individual” is inserted and

(3) Subsection (d) is stricken and subsection (e) is redesignated as subsection (d).

(4) a section 2 is added to read as follows:

**“SECTION 2.** (a) The Office of the Governor shall establish -an Auto-Expungement Task Force that includes, but is limited to, participants from relevant Territorial departments and agencies necessary to expunge Cannabis-related crimes, and any non-profit legal service organization considered to be necessary to the work to be performed by the Auto- Expungement task force.

(b) Based upon recommendations from the Auto-Expungement task force, the OCR shall issue an Auto-Expungement report no later than 10 months from the date of enactment of this chapter that details:

(1) Classifications of crimes that should be expunged for persons convicted for reasons solely related to possession, control, or sale of Cannabis, classification of crimes that may be expunged; and the classification of crimes that cannot be expunged under any circumstances;

(2) Administrative processes necessary for the Territory to expunge certain Cannabis related crimes; and

(3) Funding necessary to implement the recommendations of this report. All relevant territorial agencies shall follow the directed recommendations of the Auto-Expungement report.

(c) Upon issuance of the Annual Auto-Expungement report to the Governor, the Legislature, the Supreme Court, and the Superior Court shall issue an order expunging each conviction for Cannabis use or possession offenses entered by the court prior to the date of the Auto-Expungement report for such persons deemed to be eligible for Auto-Expungement.

(5) A section 3 is added to read as follows:

“**SECTION 3.** Notwithstanding the language contained in title 33 Virgin Islands Code, subtitle 3, chapter 111, section 3072, the sum of \$250,000 is appropriated in the fiscal year ending September 30, 2023, from the Tourism Advertising Revolving Fund to the Office of the Governor to be used exclusively by the Auto-Expungement Task Force to fund the auto-expungement of records, social equity job training program, entrepreneurship training program, and business incubation and micro-lending program for individuals who have resided in the Territory for not less than two years at the time of enactment of this act, and who have been adversely impacted by the criminal justice system for activities that this act now deems legal, which sum remains available until expended.”

**Amendment No. 34-741/December 29, 2022/AA/Modified/SLR**