

COMMITTEE ON ECONOMIC DEVELOPMENT,  
REGULATIONS AND AGRICULTURE

10/10/2019-REPORTED OUT TO THE FLOOR

09/16/2019-REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

**BILL NO. 33-0122**

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

**July 25, 2019**

An Act amending title 7, chapter 1, subchapter 1, section 2 of the Virgin Islands code by expanding the definition of farming and by adding current industry standard terminology

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**PROPOSED BY:** Senators Novelle E. Francis, Jr. and Allison L. DeGazon  
Co-sponsors: Steven D. Payne, Sr. and Javan E. James

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

2       **SECTION 1.** Title 7, chapter 1, subchapter 1, section 2 of the Virgin Islands Code  
3 is amended as follows:

4       (a) In subsection (e), by inserting the following language at the end of the  
5 subsection:

6               “that has or normally could have the potential for at least \$5,000 or more in  
7 sales from agricultural commodities during the calendar year”; and

8       (b) By re-designating the affected subsections accordingly, and inserting the  
9 following definitions in the appropriately designated subsections:

10               ““Agricultural dealer” means any person, partnership or corporation doing  
11 business in the Virgin Islands by buying, receiving, soliciting, handling or

1 negotiating agricultural products purchased from the producer, his agent or  
2 representative for resale or processing for sale.

3 “Hobby farm” means a farm operated for pleasure or supplemental income  
4 rather than primary income, as defined in Section 183 of the Internal Revenue  
5 Code.

6 “Locally produced agricultural food product” means any agricultural food  
7 product that is grown, produced, and distributed in the Territory.

8 “Regional farming” means any agricultural food product that is raised,  
9 produced, and distributed within Puerto Rico and the Caribbean.

10 “Value-added agricultural product” means any agricultural commodity that  
11 meets the requirements specified in paragraphs (1) and (2) below:

12 (1) The agricultural commodity:

13 (A) has undergone a change in physical state;

14 (B) was produced in a manner that enhances the value of the  
15 agricultural commodity;

16 (C) is physically segregated in a manner that results in the  
17 enhancement of the value of the agricultural commodity;

18 (D) is a source of farm-based or ranch-based renewable  
19 energy, including E-85 fuel; or

20 (E) is aggregated and marketed as a locally produced  
21 agricultural food product.

22 (2) As a result of the change in physical state or the manner in which  
23 the agricultural commodity was produced, marketed, or segregated:

1 (A) the customer base for the agricultural commodity is  
2 expanded; and

3 (B) a greater portion of the revenue derived from the  
4 marketing, processing, or physical segregation of the agricultural  
5 commodity is available to the producer of the commodity.”

6 “Vertical Farming” means the practice of producing food in  
7 vertically stacked layers or vertically inclined surfaces.””

8 **Bill Summary**

9 This Bill updates the Virgin Islands Code by expanding the definition of farming  
10 and by adding several current industry definitions to title 7, section 2 which has not  
11 been revised since its enactment in 2006.

12 **BR19-0216/July 23, 2019/LHM/Reviewed by EEM**