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Bryan Introduces New Firearms Bill Aimed at Constitutional Compliance While Tightening Local Controls

The proposed legislation responds to Supreme Court guidance and a DOJ lawsuit by replacing discretionary gun permits with objective standards, while establishing licensing, registration, carry rules, and public-safety restrictions specific to the USVI.

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Governor Albert Bryan Jr. has transmitted sweeping legislation to the Virgin Islands Legislature aimed at overhauling the territory's firearms laws, seeking to bring local statutes into compliance with recent U.S. Supreme Court rulings while maintaining public safety restrictions long recognized as constitutionally permissible.

The proposal, titled the Second Amendment Rights and Public Safety Act, was formally submitted to Senate President Milton Potter on Thursday and is intended to address concerns raised in a recent U.S. Department of Justice lawsuit, as well as guidance articulated by the Supreme Court in *N.Y. State Rifle & Pistol Association v. Bruen*, according to Government House. If enacted, the measure would comprehensively amend Chapter 5 of Title 23 of the Virgin Islands Code, replacing large sections of existing firearms law with a new regulatory framework.

Governor Bryan said the legislation is the culmination of work that began nearly six years ago, when his administration identified the need to modernize the territory's gun laws in a way that protects lawful ownership while providing clear, enforceable standards for law enforcement.

"This is an issue we began working to address about six years ago," he said. "We knew we needed a modern framework that protects the constitutional rights of Virgin Islands residents while keeping common sense protections in place to help law enforcement and keep the public safe.

According to the administration, the bill is an effort to directly address the concerns raised in the recent U.S. Department of Justice lawsuit, align our laws with the Supreme Court's direction, and put forward a framework that is clear, fair, and enforceable."

The measure was developed by the V.I. Department of Justice in close coordination with the V.I. Police Department Firearms Bureau and in collaboration with Senators Clifford Joseph, Marise James, and Angel Bolques Jr., each of whom previously introduced legislation addressing aspects of firearm regulation now consolidated into the proposed act.

At its core, the bill establishes a single, uniform system governing firearm possession and carrying in the territory. Under the proposal, no person may possess, purchase, sell, transfer, transport, or carry a firearm in the Virgin Islands unless they hold a valid Virgin Islands Firearms License and a registration certificate for each firearm. Active-duty military personnel and law enforcement officers are exempt when acting within the scope of official duties.

The bill replaces discretionary licensing standards with an objective, time-certain process. Applicants must meet detailed eligibility criteria, undergo criminal background checks, complete firearms safety training, and certify compliance with safe-storage requirements under oath. Knowingly providing false or misleading information during the application process would constitute a felony. Once a completed application is submitted, the VIPD must either issue a license or provide a detailed written denial within 90 days. Firearms licenses would generally be valid for five years, subject to renewal.

A parallel registration system is established for individual firearms. Registration certificates would be issued for each firearm if the applicant holds a valid license and the weapon is not among those explicitly prohibited. The VIPD would be required to process registration applications and issue a certificate or denial within 60 days.

The proposed framework eliminates the need for a separate public carry permit, the administration says. A person holding a valid firearms license may carry a registered handgun in public, but only in a concealed manner. The open carrying of firearms is prohibited, as is the carrying of long guns in public.

The legislation also defines an extensive list of "sensitive places" where firearms may not be carried, which the administration says is consistent with restrictions the Supreme Court has recognized as permissible. These locations include government buildings and grounds, schools and childcare facilities, hospitals and medical or mental health offices, penal institutions, polling

places while voting is occurring, stadiums and arenas, public parks and playgrounds, public beaches, and certain public gatherings and demonstrations under specified notice provisions. Rules governing private property are also detailed, relying on signage or direct notice by property owners.

In addition, the bill strengthens safe-storage requirements, including mandating the use of lockboxes for firearms stored in vehicles. Penalties are imposed when unsafe storage allows an unlicensed person to access a firearm and injury or death results.

Government House says the act preserves and clarifies prohibitions on weapons deemed especially dangerous, including automatic weapons, ghost guns, explosive devices, short-barreled rifles and shotguns, firearm silencers, bump stocks, conversion kits, and large-capacity magazines. Federal authorization, including ATF tax stamps, would not override local restrictions except in narrowly defined circumstances. Violations involving silencers, bump stocks, or conversion kits carry felony penalties, with enhanced punishment if the devices are possessed during the commission of a crime of violence.

A structured transition period is also included. Existing, unexpired Virgin Islands firearms licenses would remain valid for a defined period after the law takes effect. The bill establishes a six-month grace period allowing individuals in possession of unlicensed or unregistered firearms to surrender them without criminal prosecution, with an opportunity to apply for licensure and registration afterward under specified conditions.

“Our community deserves laws that are constitutional, clear, and enforceable,” Governor Bryan said. “This proposal protects the rights of law-abiding residents while drawing bright lines that protect our schools, our parks, our beaches, and our families. It is common sense, and it gives our police the clarity they need to enforce the law and keep people safe.”

If approved by the Legislature and signed by the governor, the Second Amendment Rights and Public Safety Act would take effect immediately upon approval.