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HOUSE BILL NO. 1045

Offered January 24, 2000

A BILL to amend and reenact § 2.1-481 of the Code of Virginia, relating to the Department of General Services; upkeep and maintenance of the Virginia War Memorial Carillon.

Patrons—Cantor, Devolites, May and Reid

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 2.1-481 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-481. Care of public buildings and property; Virginia War Memorial Carillon.

A. The Division of Engineering and Buildings shall have charge of all public buildings, grounds and all other property at the seat of government not placed in the charge of others, and shall protect such properties from depredations and injury.

~~The B. Except as provided in this section, the Division shall have custody, control and supervision of the Virginia War Memorial Carillon; provided, however, that nothing herein shall abrogate the obligations of the City of Richmond to provide for the upkeep and maintenance of the said Carillon.~~

C. Notwithstanding the foregoing, the Director of the Department of General Services and the City of Richmond shall enter into an agreement which would allow the City to permit the use of or access to the Virginia War Memorial Carillon for such short-term events as the City deems appropriate. The agreement (i) may allow the City to charge and collect a fee for such use and to retain any such fee, and (ii) shall require the City to provide a report by December 1 of each year to the Director of the Department of General Services, in a form approved by the Director, detailing (a) the funds collected by the City for use of the Carillon for the preceding year; (b) the funds made available to the City from all sources; and (c) the City's expenditures for upkeep, maintenance, and improvement of the facility.

D. Notwithstanding the provisions of subsection C of § 2.1-512 or any other law to the contrary, the proceeds from the lease or other conveyance of an interest in the Virginia War Memorial Carillon by the Department of General Services, after deduction of the Department's expenses, shall be paid to the City to be applied with other City funds for the cost of upkeep, maintenance, and improvement of the Virginia War Memorial Carillon. The proceeds shall be paid by the Comptroller to the City as soon as practicable after receipt by the Commonwealth.

E. All funds retained by the City or transferred to the City in accordance with this section and all fees collected by the City from use of or access to the Virginia War Memorial Carillon shall be paid into the City's treasury to the credit of a special fund which shall be used by the City solely for the upkeep, maintenance, and improvement of the Virginia War Memorial Carillon. Use of the special fund for any other purpose is prohibited.

F. Nothing in this section shall abrogate the obligations of the City of Richmond to provide for the upkeep and maintenance of the Carillon.

2. That an emergency exists and this act is in force from its passage.

INTRODUCED

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