

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 15.2-1812.1, relating to damage*
3 *to memorials.*

4 [H 1184]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 15.2-1812.1 as follows:**8 *§ 15.2-1812.1. Action for damage to memorials for war veterans.*9 *A. If any monument, marker or memorial for war veterans as designated in §§ 15.2-1812 and*
10 *18.2-137 is violated or encroached upon, an action for the recovery of damages may be commenced by*
11 *the following:*12 *1. For a publicly-owned monument, marker or memorial, by the attorney for the locality in which it*
13 *is located; or, if no such action has commenced within sixty days following any such violation or*
14 *encroachment, by any person having an interest in the matter; and*15 *2. For a privately-owned monument, marker or memorial, by the private organization, society or*
16 *museum that owns it or any member of such organization, society or museum.*17 *Damages may be awarded in such amounts as necessary for the purposes of rebuilding, repairing,*
18 *preserving and restoring such memorials or monuments to preencroachment condition. Damages other*
19 *than those litigation costs recovered from any such action shall be used exclusively for said purposes.*20 *B. Punitive damages may be recovered for reckless, willful or wanton conduct resulting in the*
21 *defacement of, malicious destruction of, unlawful removal of, or placement of improper markings,*
22 *monuments or statues on memorials for war veterans.*23 *C. The party who initiates and prevails in an action authorized by this section shall be entitled to an*
24 *award of the cost of the litigation, including reasonable attorney's fees. The provisions of this section*
25 *shall not be construed to limit the rights of any person, organization, society, or museum to pursue any*
26 *additional civil remedy otherwise allowed by law.*

ENROLLED

HB184ER