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HOUSE BILL NO. 183

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Colgan
on February 14, 2002)

(Patrons Prior to Substitute—Delegate Parrish; Senator: Colgan)

A BILL to amend and reenact § 57-12 of the Code of Virginia, relating to religious and charitable matters; quantity of real property trustees may hold.

Be it enacted by the General Assembly of Virginia:

1. That § 57-12 of the Code of Virginia is amended and reenacted as follows:

§ 57-12. Quantity of real and personal property trustees may hold.

Such trustees shall not take or hold at any one time more than 15 acres of land in a city or town, nor more than 250 acres outside of a city or town and within the same county. The city or town council of any city or town may by ordinance, however, authorize such trustees to take and hold in such city or town not more than 50 acres of land at any one time; such trustees of a church diocese may take or hold not more than 250 acres in any one county at any one time; and they shall not take or hold money, securities or other personal property to the extent that such taking or holding causes the money, securities or other personal property held at the time of taking by such trustees to exceed in the aggregate, exclusive of the books and furniture aforesaid, the sum of ten million dollars. Where two or more religious congregations, churches or religious societies shall merge or consolidate, such religious congregation, church or religious society so merged or consolidated, shall have three years' time within which to dispose of its land in excess of that which it is permitted to hold under this section.

Land taken or held outside of a city or town shall always be considered as such for the purposes of this article although such land later becomes part of a city or town through annexation or otherwise.

Nothing herein contained shall affect the validity of any land within a city or town legally acquired by a church to be exclusively used for a church manse, parsonage or rectory between June 30, 1954, and June 27, 1964, provided the total amount of land owned by a church within a city or town does not exceed twenty acres.

There shall be no limit on the amount of real and personal property such trustees may take and hold. Such trustees shall ensure that such property as they take and hold is to be devoted exclusively, and is subsequently so devoted, to a church or church building, a chapel, or other house of worship; a cemetery; an office exclusively used for administrative purposes of the church, church diocese, religious congregation, or religious society; a Sunday school, parochial school, or other school for religious education or playground thereof; a parking lot for the convenience of those attending any of the foregoing; a church manse, parsonage, or rectory; or other charitable, religious, or educational purposes.