

2004 SESSION

HOUSE SUBSTITUTE

040044301

HOUSE BILL NO. 812

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 6, 2004)

(Patron Prior to Substitute—Delegate Eisenberg)

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511, relating to sale of veterans' monuments.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511 as follows:

§ 18.2-511. Sale of veterans' memorials or grave markers; penalty.

Any person who sells or offers for sale any memorial or grave marker of one or more deceased persons who served in the military service of the Commonwealth, the United States, or any of the states thereof, is guilty of a Class 3 misdemeanor.

It shall be an affirmative defense to a charge of sale or offer for sale of such memorial or grave marker if it was (i) conveyed with real property to which it is affixed, (ii) sold or offered for sale following manufacture or fabrication and prior to initial installation or dedication, or (iii) lawfully acquired where a record of its acquisition and title in the possessor are documented.

2. That the provisions of this act shall become effective on January 1, 2005.

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HB812H1