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## SENATE BILL NO. 631

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws  
on January 28, 2004)

(Patron Prior to Substitute—Senator Quayle)

*A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 11 of Title 2.2 a section numbered 2.2-1161.2, relating to preservation of monuments and memorials.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 4 of Chapter 11 of Title 2.2 a section numbered 2.2-1161.2 as follows:**

*§ 2.2-1161.2. Preservation of monuments and memorials.*

*A. No monument or physical memorial erected on public property of the Commonwealth or any locality shall be relocated, removed, or altered and no street, bridge, structure, park, preserve or reserve or other public area of the Commonwealth or any locality that has been dedicated to the memory of or named for any historic figure or event may be renamed or rededicated unless a public hearing has been held by the appropriate state agency or public body proposing such action, in the case of monuments or dedicated public areas located on state property, or the local governing body for monuments or dedicated public areas located on property controlled by the locality. These restrictions shall not apply if the action is consistent with an agreement between the agency or locality owning the property, area, monument, or memorial and the entity initiating its establishment.*

*B. Public hearings required by subsection A shall require (i) notice of at least 30 days of the hearing including a full statement of the proposed action, and (ii) an opportunity for any interested party to be heard.*

*C. Nothing in this subsection shall prevent the Commonwealth or any locality from relocating or removing a monument or memorial for the purpose of performing necessary construction or maintenance on streets, highways or utilities or if such relocation or removal is deemed necessary by the Commonwealth or locality to address an imminent public safety concern.*