CHAPTER 639

An Act to amend and reenact § 10.1-2211.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-2211.1:1, relating to Revolutionary War graves.

[H 153]

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-2211.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 10.1-2211.1:1 as follows:

§ 10.1-2211.1. Disbursement of funds appropriated for caring for Revolutionary War cemeteries and graves.

A. At the direction of the Director, the Comptroller of the Commonwealth is instructed and empowered to draw annual warrants upon the State Treasurer from any sums that may be provided in the general appropriation act, in favor of the treasurers of *the Virginia Society of the Sons of the American Revolution (VASSAR) and the* Revolutionary War memorial associations caring for cemeteries as set forth in subsection B. Such sums shall be expended by the associations for the routine maintenance of their respective Revolutionary War cemeteries and graves and for the graves of Revolutionary War soldiers and sailors not otherwise cared for in other cemeteries~~,~~ and in erecting and caring for markers, memorials, and monuments to the memory of such soldiers ~~and~~, sailors, *and persons rendering service to the Patriot cause in the Revolutionary War*. All such associations, through their proper officers, are required after July 1 of each year to submit to the Director a certified statement that the funds ~~appropriated~~ *disbursed* to the association or organization in the preceding fiscal year were or will be expended for the routine maintenance of cemeteries *and graves* specified in this section ~~and the graves of Revolutionary War soldiers and sailors~~ and in erecting and caring for markers, memorials, and monuments to the memory of such soldiers ~~and~~, sailors, *and persons rendering service to the Patriot cause in the Revolutionary War*. ~~A~~ *If a* cemetery association ~~failing~~ *fails* to comply with any of the requirements of this section, *such association* shall be prohibited from receiving moneys allocated under this section for all subsequent fiscal years until the association fully complies with the requirements. *No retroactive disbursement of funds for any preceding year shall be made. The Director shall deposit any appropriated funds that are not disbursed during the same fiscal year into the Revolutionary War Cemeteries and Graves Fund created pursuant to § 10.1-2211.1:1.*

B. Allocation of appropriations made pursuant to this section shall be based on the number of graves, monuments, and markers as set forth opposite the cemetery name, or as documented by each association multiplied by the rate of ~~five dollars~~ *$5* or the average actual cost of routine maintenance, whichever is greater, for each grave, monument, or marker in the care of a cemetery association. For the purposes of this section, the "average actual cost of care" shall be determined by the Department in a biennial survey of at least four properly maintained cemeteries, each located in a different geographical region of the Commonwealth.

IN THE COUNTIES OF:	NUMBER:
Amherst	
St. Matthews Episcopal Church	3
Augusta	
Bethel Presbyterian Church	33
Glebe Burying Ground	11
Mossy Creek Cemetery	6
Augusta Stone Presbyterian Church	44
Hebron Presbyterian Church	6
Old Providence Presbyterian Church	20
Rocky Spring Presbyterian Church	4
St. John's Reformed Lutheran Church	4
St. Peter's Lutheran Church	3
Tinkling Springs Presbyterian Church	13
Trinity Lutheran Church	8
Botetourt	
Fincastle Presbyterian Church	28
Campbell	
Callaway-Steptoe Cemetery	4
Cobbs Hall Farm	3
Concord Presbyterian Church	4
Family Cemetery at Avoca	3
Mount Airy Family Cemetery	3

Haden Family Cemetery on Phillips Farm	3
Hat Creek Presbyterian Church	3
Clarke	
Old Chapel Churchyard	3
Culpeper	
Culpeper Cemetery	3
Masonic Cemetery	3
Dinwiddie	
Sweden Plantation	3
Floyd	
Pine Creek Cemetery	4
Franklin	
Tanyard-Benard-Hill Cemetery	3
Greenesville	
Robinson Family Cemetery	3
Halifax	
Terry Family Cemetery	5
Hanover	
Spring Grove Cemetery	5
Henry	
Leatherwood Plantation	5
Loudoun	
Ketoctin Cemetery	7
Louisa	
Little River Baptist Church	3
Nelson	
Cub Creek Road Cemetery	10
Page	
Printz Family Cemetery	3
Pittsylvania	
Buckler Family Cemetery	3
Roanoke	
Walton Family Cemetery	3
Rockingham	
Dayton Cemetery	3
Old Peaked Mountain Church	30
Russell	
Soloman Litton Hollow Cemetery	4
Shenandoah	
St. Mary's Lutheran Church	7
Tazewell	
Thompson Family Cemetery	4
Washington	
Green Spring Church	6
Sinking Spring Cemetery	9
Wythe	
St. John's Lutheran Church	5
St. Paul's Lutheran Church	4
IN THE CITIES OF:	
Alexandria	
Christ Church Cemetery	8
Old Presbyterian Meeting House	43
Fairfax	
Fairfax City Cemetery	3
Pohick Church Cemetery	3
Washington Family Tomb	3
Fredericksburg	
Fredericksburg Cemetery	5
Masonic Cemetery	6
St. George's Episcopal Church	3
Lexington	
Stonewall Jackson Memorial Cemetery	19
Washington and Lee University	3
Lynchburg	
Old City Cemetery	3
Newport News	
Warwick Burial Ground	3
Norfolk	
St. Paul's Cemetery	3
Portsmouth	

Cedar Grove	4
Trinity Episcopal Church	5
Richmond	
Hollywood Cemetery	4
Shockoe Hill Cemetery	8
St. John's Episcopal Church	4
Rockbridge	
Falling Spring Presbyterian Church	6
High Bridge Presbyterian Church	3
New Providence Presbyterian Church	16
Timber Ridge Cemetery	9
Staunton	
Trinity Episcopal Church	17
Williamsburg	
Bruton Parish Church	4
Winchester	
Mount Hebron Cemetery	31
Old Opequon Presbyterian Church	10

C. *In addition to any sums that may be provided in favor of the associations as set forth in subsection B, the Director shall disburse funds at the same rate to VASSAR to fund its maintenance of no more than 4,050 additional Revolutionary War graves in the Commonwealth, as documented and certified by VASSAR and set forth in a list submitted annually to the Director.*

~~In addition to funds that may be provided pursuant to subsection B, any~~ *D. Any* of the associations *and societies* set forth in subsection B *or C* may apply to the Director for grants to perform extraordinary maintenance, renovation, repair, or reconstruction of any of their respective Revolutionary War cemeteries and graves and ~~for the graves of Revolutionary War~~ *to erect and care for markers, memorials, and monuments to the memory of such* soldiers ~~and~~, sailors, *and persons rendering service to the Patriot cause in the Revolutionary War*. These grants shall be made from any appropriation made available by the General Assembly for such purpose *or from the Revolutionary War Cemeteries and Graves Fund created pursuant to § 10.1-2211.1:1*. In making such grants, the Director shall give full consideration to the assistance available from the ~~United States~~ *U.S.* Department of Veterans Affairs~~,~~ or other agencies, except in those instances where such assistance is deemed by the Director to be detrimental to the historical, artistic, or architectural significance of the site.

~~D.~~ *E.* Local matching funds shall not be required for grants made pursuant to this section.

§ 10.1-2211.1:1. Revolutionary War Cemeteries and Graves Fund.

There is hereby created in the state treasury a special nonreverting fund to be known as the Revolutionary War Cemeteries and Graves Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose, all funds deposited in the Fund pursuant to subsection A of § 10.1-2211.1, and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes set out in subsection D of § 10.1-2211.1. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director.