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## HOUSE BILL NO. 153

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance  
on February 27, 2018)

(Patron Prior to Substitute—Delegate Habeeb)

A BILL 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.

**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	3
St. Matthews Episcopal Church	
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

62	Mount Airy Family Cemetery	3
63	Haden Family Cemetery on Phillips Farm	3
64	Hat Creek Presbyterian Church	3
65	Clarke	
66	Old Chapel Churchyard	3
67	Culpeper	
68	Culpeper Cemetery	3
69	Masonic Cemetery	3
70	Dinwiddie	
71	Sweden Plantation	3
72	Floyd	
73	Pine Creek Cemetery	4
74	Franklin	
75	Tanyard-Benard-Hill Cemetery	3
76	Greenesville	
77	Robinson Family Cemetery	3
78	Halifax	
79	Terry Family Cemetery	5
80	Hanover	
81	Spring Grove Cemetery	5
82	Henry	
83	Leatherwood Plantation	5
84	Loudoun	
85	Ketoctin Cemetery	7
86	Louisa	
87	Little River Baptist Church	3
88	Nelson	
89	Cub Creek Road Cemetery	10
90	Page	
91	Printz Family Cemetery	3
92	Pittsylvania	
93	Buckler Family Cemetery	3
94	Roanoke	
95	Walton Family Cemetery	3
96	Rockingham	
97	Dayton Cemetery	3
98	Old Peaked Mountain Church	30
99	Russell	
100	Soloman Litton Hollow Cemetery	4
101	Shenandoah	
102	St. Mary's Lutheran Church	7
103	Tazewell	
104	Thompson Family Cemetery	4
105	Washington	
106	Green Spring Church	6
107	Sinking Spring Cemetery	9
108	Wythe	
109	St. John's Lutheran Church	5
110	St. Paul's Lutheran Church	4
111	IN THE CITIES OF:	
112	Alexandria	
113	Christ Church Cemetery	8
114	Old Presbyterian Meeting House	43
115	Fairfax	
116	Fairfax City Cemetery	3
117	Pohick Church Cemetery	3
118	Washington Family Tomb	3
119	Fredericksburg	
120	Fredericksburg Cemetery	5
121	Masonic Cemetery	6
122	St. George's Episcopal Church	3
123	Lexington	
124	Stonewall Jackson Memorial Cemetery	19
125	Washington and Lee University	3
126	Lynchburg	
127	Old City Cemetery	3
128	Newport News	
129	Warwick Burial Ground	3

130	Norfolk	
131	St. Paul's Cemetery	3
132	Portsmouth	
133	Cedar Grove	4
134	Trinity Episcopal Church	5
135	Richmond	
136	Hollywood Cemetery	4
137	Shockoe Hill Cemetery	8
138	St. John's Episcopal Church	4
139	Rockbridge	
140	Falling Spring Presbyterian Church	6
141	High Bridge Presbyterian Church	3
142	New Providence Presbyterian Church	16
143	Timber Ridge Cemetery	9
144	Staunton	
145	Trinity Episcopal Church	17
146	Williamsburg	
147	Bruton Parish Church	4
148	Winchester	
149	Mount Hebron Cemetery	31
150	Old Opequon Presbyterian Church	10

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

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

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

167 **§ 10.1-2211.1:1. Revolutionary War Cemeteries and Graves Fund.**

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

179 **2. That the provisions of this act shall not become effective unless an appropriation effectuating**  
 180 **the purposes of this act is included in a general appropriation act passed in 2018 by the General**  
 181 **Assembly that becomes law.**