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SENATE BILL NO. 177

Senate Amendments in [] - February 8, 2018

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.*

Patron Prior to Engrossment—Senator Stanley

Referred to Committee on General Laws and Technology

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. [~~The~~] [~~Comptroller of the Commonwealth shall make no~~ 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

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

130	Old City Cemetery	3
131	Newport News	
132	Warwick Burial Ground	3
133	Norfolk	
134	St. Paul's Cemetery	3
135	Portsmouth	
136	Cedar Grove	4
137	Trinity Episcopal Church	5
138	Richmond	
139	Hollywood Cemetery	4
140	Shockoe Hill Cemetery	8
141	St. John's Episcopal Church	4
142	Rockbridge	
143	Falling Spring Presbyterian Church	6
144	High Bridge Presbyterian Church	3
145	New Providence Presbyterian Church	16
146	Timber Ridge Cemetery	9
147	Staunton	
148	Trinity Episcopal Church	17
149	Williamsburg	
150	Bruton Parish Church	4
151	Winchester	
152	Mount Hebron Cemetery	31
153	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 6,000 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.

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