

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend the Code of Virginia by adding a section numbered 57-35.37, relating to sale of cemeteries owned by a locality; notice to descendants.

[H 615]

Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 57-35.37 as follows:

§ 57-35.37. Sale of cemeteries owned by a locality; required notice to descendants of original owner.

A. No cemetery owned by a county or city shall be sold to a private owner unless the county or city has made a good faith effort to ensure, prior to sale, that the ownership of such cemetery is vested in the estate of the last owner of record or that permission for the sale has been granted by the family members or descendants of such owner.

B. For purposes of subsection A, a county or city will be deemed to have made a good faith effort if it attempts to contact all known family members and descendants of the last owner of record no less than three separate times by phone, mail, or visiting the last known address of record for such family members or descendants; however, if the county or city is unable to successfully contact a family member or descendant, it must utilize two different contact methods listed above for a total of three different times in an attempt to reach the family members or descendants of the last owner of record of the cemetery. A county or city shall keep written records of each attempt to contact a family member or descendant of the cemetery's last owner of record.