

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Title 23 a chapter numbered 18.1, consisting of*
 3 *sections numbered 23-253.1 through 23-253.7, and to repeal Chapter 9 (§§ 9-78 through 9-84) of*
 4 *Title 9 of the Code of Virginia, relating to the Virginia Museum of Fine Arts.*

5 [H 1766]

6 Approved

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

8 **1. That the Code of Virginia is amended by adding in Title 23 a chapter numbered 18.1, consisting**
 9 **of sections numbered 23-253.1 through 23-253.7 as follows:**

10 CHAPTER 18.1.

11 VIRGINIA MUSEUM OF FINE ARTS.

12 § 23-253.1. *Membership of board of trustees; quorum.*

13 *The management and control of the Virginia Museum of Fine Arts, hereinafter in this chapter called*
 14 *the "Museum," together with the building, contents, furnishings, grounds and other properties thereof*
 15 *shall be vested in a board of trustees composed of the following persons: (1) ex officio members: the*
 16 *Governor and Lieutenant Governor of Virginia, the Speaker of the House of Delegates and the mayor of*
 17 *the City of Richmond; and (2) regular members: the trustees who are in office on June 27, 1958, and*
 18 *their successors from time to time, consisting of not less than twenty-five persons and not more than*
 19 *thirty-five persons. The term of office of all regular members who are in office on June 27, 1958, shall*
 20 *continue until June 30, 1963, and shall expire at that time. All successors from time to time, whether for*
 21 *a full term or for the remainder of an unexpired term, shall be appointed and commissioned by the*
 22 *Governor, upon the nomination of the trustees from the list of members of the Museum. The trustees*
 23 *appointed to hold office beginning on July 1, 1963, shall be divided as nearly as may be, into five equal*
 24 *groups, their terms of office to expire, respectively, one, two, three, four and five years thereafter. All*
 25 *trustees subsequently appointed shall hold office for a term of five years unless appointed for the*
 26 *remainder of an unexpired term. No person shall be eligible to serve consecutively for more than two*
 27 *successive complete terms. Nine trustees shall constitute a quorum at any meeting and a majority vote of*
 28 *those present shall control in all matters.*

29 § 23-253.2. *Bylaws; president of Museum.*

30 *Such trustees shall adopt bylaws governing their organization and procedure and may from time to*
 31 *time alter and amend the same. The trustees shall elect one of their members president of the Museum.*

32 § 23-253.3. *Executive committee.*

33 *Such trustees may also provide for an executive committee, composed of not less than three trustees,*
 34 *which committee may exercise powers vested in and perform duties imposed upon the trustees by this*
 35 *chapter to the extent designated and permitted by the trustees.*

36 § 23-253.4. *Authority of trustees generally.*

37 *Such trustees are vested with full authority to: (1) manage, control, maintain and operate the*
 38 *Museum, including the contents, furnishings, grounds funds, property and endowments thereof; (2)*
 39 *charge for admission to the Museum if deemed proper; (3) employ such persons as may be necessary to*
 40 *manage, control, maintain and operate the same; (4) suspend or remove at pleasure any person so*
 41 *employed; (5) determine what paintings, statuary and works of art may be kept, housed or exhibited in*
 42 *the Museum; (6) acquire by purchase, gift, loan or otherwise paintings, statuary and works of art and to*
 43 *exchange or sell the same if not inconsistent with the terms of the purchase, gift, loan or other*
 44 *acquisition thereof; (7) enter into agreements with organizations interested in art; (8) adopt a seal; (9)*
 45 *stimulate and assist in the formation of new organizations; (10) do such other things as they deem*
 46 *proper to promote education in the realm of art throughout the Commonwealth through the Museum,*
 47 *which is hereby constituted and declared an educational institution, an institution of learning, and a*
 48 *public body and instrumentality for the dissemination of education; and (11) receive and administer on*
 49 *behalf of the Commonwealth gifts, bequests and devises of real and personal property for the*
 50 *endowment of the Museum or for any special purpose designated by the donor.*

51 *The trustees are hereby authorized to change the form of investment of any funds, securities or other*
 52 *property, real or personal, provided the same are not inconsistent with the terms of the instrument*
 53 *under which the same was acquired. The trustees may sell, grant and convey any such property, but, in*
 54 *the case of real property, only by and with the written consent of the Governor. The trustees may from*
 55 *time to time confer the honorary degree of patron of arts on any person who has, in their opinion,*
 56 *made an outstanding contribution in the realm of art, but not more than two such degrees shall be*

57 conferred in any calendar year.

58 *Nothing in this section shall be construed to prohibit the assessment and levying of a service charge*
59 *pursuant to the provisions of Chapter 34 of Title 58.1.*

60 *The exercise by the Museum of the powers conferred by this chapter shall be deemed and held to be*
61 *the performance of an essential governmental function.*

62 *§ 23-253.5. Classes of membership; testamentary disposition.*

63 *Such trustees are vested with full authority to establish classes of membership in the Museum under*
64 *such regulations as to them may seem proper. All members making a contribution of \$1,000 or more*
65 *prior to June 27, 1958, may dispose of their membership by last will and testament.*

66 *§ 23-253.6. Authority of Art and Architectural Review Board.*

67 *The Art and Architectural Review Board shall have no power or authority to control, manage or*
68 *supervise in any way the trustees in the exercise of the powers and the performance of the duties*
69 *provided for in this chapter except that in the matter of additions, repairs and alterations of the*
70 *Museum itself the Art and Architectural Review Board shall continue to exercise the powers now*
71 *conferred by law, which powers are specifically reserved to the Board.*

72 *§ 23-253.7. Expenditures for current expenses; annual report.*

73 *All money received by the Museum for current expenses in conducting the Museum shall be paid into*
74 *the treasury of Virginia, where it shall be set aside as a special fund for the operation of the Museum,*
75 *for which purpose such money is hereby appropriated, to be paid by the State Treasurer on warrants of*
76 *the Comptroller issued upon vouchers signed by the president of the Museum or his duly authorized*
77 *agent. The Museum shall be deemed to be an institution of higher education within the meaning of*
78 *§§ 23-3.1 and 23-9.2.*

79 *The Board of Trustees shall submit an annual report to the Governor and General Assembly on or*
80 *before November 1 of each year, such report to contain, at a minimum, the annual financial statements*
81 *of the Museum for the year ending the preceding June 30. The annual report shall be distributed in*
82 *accordance with the provisions of § 2.1-467.*

83 **2. That Chapter 9 (§§ 9-78 through 9-84) of Title 9 of the Code of Virginia is repealed.**