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**HOUSE JOINT RESOLUTION NO. 246**

Offered January 26, 1998

*Establishing a joint subcommittee to study the statutory duties and responsibilities of church trustees.*

Patrons—Jones, D.C., Hall and McEachin

Referred to Committee on Rules

WHEREAS, many denominational congregations and church dioceses have established boards of congregational members who serve as the stewards for church property, and the Code of Virginia also requires that congregations have such fiduciary agents; and

WHEREAS, church trustees serve as the legal officers of the body; provide oversight of church property, including the sale, lease, purchase, and transfer of property; and coordinate property maintenance; and

WHEREAS, under Virginia law, any member of the church may sue the trustees in his own name on behalf of the church; and

WHEREAS, given contemporary thought among the members of church congregations concerning the traditional role and responsibilities of the church, there is concern regarding the potential abuse of certain statutory authorizations; and

WHEREAS, the state laws pertaining to the requirements, duties, and responsibilities of church trustees have not been examined for relevancy to general and accepted practices among church congregations today; and

WHEREAS, it is important that the rights and privileges of the majority of the church congregation be protected, and that the integrity and viability of our religious institutions be ensured; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the statutory duties and responsibilities of church trustees. The joint subcommittee shall be composed of nine members, as follows: five members of the House of Delegates, to be appointed by the Speaker of the House, and four members of the Senate, to be appointed by the Senate Committee on Privileges and Elections.

In conducting its study, the joint subcommittee shall conduct a comprehensive review of the statutes pertaining to church trustees; examine the statutory provisions in light of contemporary church practices and the potential for abuse; determine whether such statutes require updating; and recommend appropriate amendments to ensure the relevancy of state laws in this area to contemporary thought and practices.

The direct costs of this study shall not exceed \$6, 750.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1999 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

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