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HOUSE BILL NO. 153

Offered January 10, 2018

Prefiled December 20, 2017

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.

Patrons—Habeeb, Bourne, Carr, Carter, James, McQuinn, Rodman, Rush and Torian

Referred to Committee on Agriculture, Chesapeake and Natural Resources

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 retroactive disbursement of funds for any preceding year. 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

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

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

153 C. In addition to any sums that may be provided in favor of the associations as set forth in
 154 subsection B, the Director shall disburse funds at the same rate to VASSAR to fund its maintenance of
 155 no more than 6,000 additional Revolutionary War graves in the Commonwealth, as documented and
 156 certified by VASSAR and set forth in a list submitted annually to the Director.

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

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

169 **§ 10.1-2211.1:1. Revolutionary War Cemeteries and Graves Fund.**

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