

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-2211.2 of the Code of Virginia, relating to historical African*  
 3 *American cemeteries; Loudoun County; Belmont.*

4 [S 163]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 10.1-2211.2 of the Code of Virginia is amended and reenacted as follows:**8 **§ 10.1-2211.2. Disbursement of funds appropriated for caring for historical African American**  
 9 **cemeteries and graves.**

10 A. For purposes of this section:

11 "Historical African American cemetery" means a cemetery that was established prior to January 1,  
 12 1900, for interments of African Americans and is owned by a public body or qualified charitable  
 13 organization.14 "Qualified charitable organization" means a charitable corporation, charitable association, or  
 15 charitable trust that has been granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code  
 16 and whose primary purpose is the preservation of historical cemeteries and graves.17 B. At the direction of the Director, the Comptroller of the Commonwealth shall draw an annual  
 18 warrant upon the State Treasurer from any sum that may be provided in the general appropriation act in  
 19 favor of the treasurer of a qualified charitable organization caring for any cemetery set forth in this  
 20 subsection. Such appropriations shall be allocated on the basis of the number of graves, monuments, and  
 21 markers in a cemetery of African Americans who lived at any time between January 1, 1800, and  
 22 January 1, 1900, the dates to be determined by reference to grave markers or, at the discretion of the  
 23 Director, other historical records. Such number of graves, monuments, and markers, as set forth opposite  
 24 the cemetery name or as documented by the qualified charitable organization, shall be multiplied by the  
 25 rate of \$5 or the average actual cost of routine maintenance of a grave, monument, or marker,  
 26 whichever is greater, to determine the amount of the allocation. The Department shall determine the  
 27 average actual cost of routine maintenance of a grave, monument, or marker in a biennial survey of at  
 28 least four properly maintained cemeteries, each located in a different geographical region of the  
 29 Commonwealth.

30 IN THE COUNTY OF:

NUMBER:

31 Henrico

32 East End Cemetery

4,875

33 Loudoun

34 *African-American Burial Ground for the Enslaved at Belmont*

44

35 IN THE CITY OF:

NUMBER:

36 Richmond

37 Evergreen Cemetery

2,100

38 C. An organization receiving funds shall expend the funds for the routine maintenance of its  
 39 historical African American cemetery and its graves and the erection of and caring for markers,  
 40 memorials, and monuments to the memory of such African Americans.41 D. Each qualified charitable organization, through its proper officer, shall after July 1 of each year  
 42 submit to the Director a certified statement that the funds appropriated to the organization during the  
 43 preceding fiscal year were or will be expended for the purposes set forth in subsection C. No  
 44 organization that fails to comply with any of the requirements of this section shall receive moneys  
 45 allocated under this section for any subsequent fiscal year until the organization fully complies with the  
 46 requirements.47 E. In addition to funds that may be provided pursuant to subsection B, any organization set forth in  
 48 subsection B may apply to the Director for a grant to perform extraordinary maintenance, renovation,  
 49 repair, or reconstruction of any of its historical African American cemeteries and graves. Such a grant  
 50 shall be made from any appropriation made available by the General Assembly for such purpose.

51 F. No local matching funds shall be required for any grants made pursuant to this section.