

2022 SESSION

HOUSE SUBSTITUTE

22106601D

HOUSE BILL NO. 961

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Delegate Roem
on February 14, 2022)

(Patron Prior to Substitute—Delegate Roem)

A BILL to amend and reenact § 15.2-978 of the Code of Virginia, relating to cemeteries; registration; publication prior to sale.

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-978 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-978. Registration by locality of cemeteries, graveyards, or other places of burial on private property.

Any locality may adopt an ordinance setting forth a register of identified cemeteries, graveyards, or other places of burial located on private property not belonging to any memorial or monumental association. The official local register may include an official map. *Sites on the registry shall not be disclosed to the public in any format if they fall under the exception provided in subdivision 10 of § 2.2-3705.7 for significant historic and archaeological sites that would be jeopardized by public disclosure of their location. The register and official map may be available on the locality's website, if one exists. The locality may provide a phone number and email address on the locality's website, if one exists, that members of the public can use to contact the locality regarding identified or unidentified cemeteries, graveyards, or other places of burial located on private property not belonging to any memorial or monumental association.*

The governing body shall publish a notice in a newspaper having general circulation in the locality at least two weeks prior to the public sale of any publicly owned property that contains a cemetery, graveyard, or other place of burial, or as soon thereafter as possible, and shall also publish the notice on the locality's website, if one exists. The notice shall specify that a cemetery is present on the property. If the property falls under the exception provided in subdivision 10 of § 2.2-3705.7 for significant historic and archeological sites that would be jeopardized by public disclosure of their location, then no such notice is required.

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