

HOUSE BILL NO. 1047  
AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the House Committee on General Laws  
on \_\_\_\_\_)  
(Patron Prior to Substitute—Delegate Carr)

*A BILL to amend and reenact § 2.2-2001.3 of the Code of Virginia, relating to Department of Veterans Services; Virginia War Memorial division.*

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

1. That § 2.2-2001.3 of the Code of Virginia is amended and reenacted as follows:

### § 2.2-2001.3. Virginia War Memorial division.

A. The Virginia War Memorial is established as a division within the Department of Veterans Services.

12 The Virginia War Memorial, its grounds, and all its contents, furnishings, funds, endowments, and other  
13 property, now owned or hereafter acquired, are and shall remain property of the Commonwealth. The  
14 Commissioner shall maintain administrative and financial control of the Virginia War Memorial and its  
15 subsidiaries, including adopting regulations for the use of and visitation to the Memorial. Regulations of the  
16 Commissioner shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

17 B. The mission of the Virginia War Memorial shall be to honor patriotic Virginians who rendered faithful  
18 service and sacrifice in the cause of freedom and liberty for the Commonwealth and the nation in time of war,  
19 honor all of Virginia's veterans, preserve their history, educate the public, and inspire patriotism in all  
20 Virginians.

21 C. The Department shall, with the advice of the Board of Veterans Services, adopt policies governing (i)  
22 the programs and activities that may and should be carried out at the Memorial, (ii) the use of and visitation  
23 to the Memorial, and (iii) fees for the use of the Memorial.

24 D. Beginning July 1, 2019, the names and homes of record designation of all Virginians "Killed in  
25 Action" (i) as a result of military operations against terrorism, (ii) as a result of a terrorist act, or (iii) in any  
26 armed conflict after December 6, 1941, shall be placed on the Shrine of Memory on the grounds of the  
27 Virginia War Memorial. New names shall be added to the Shrine of Memory within one year of the date of  
28 confirmed death. No individual who does not meet these criteria shall be honored on the Shrine of Memory.

29 E. The names and homes of record designation of all Virginians "Missing in Action" as a result of the  
30 Vietnam War and all other Virginians who served honorably but do not meet the criteria in clause (i), (ii), or

**31** (iii) of subsection D shall be honored at the Virginia War Memorial.

**32** F. To preserve the dignity of military medals authorized by the U.S. Department of Defense and the  
**33** memory of those who have rendered faithful service and sacrifice in the cause of freedom and liberty, the  
**34** Virginia War Memorial division of the Department shall be vested with the full authority to take possession  
**35** of military medals, ribbons, or certificates that come into the possession of the Commonwealth for which the  
**36** ownership is unknown until such time as the true owner is able to take possession. The Virginia War  
**37** Memorial division of the Department shall make reasonable efforts, based on available resources, to  
**38** determine the rightful owner and return any military medal, ribbon, or certificate that comes into its  
**39** possession pursuant to this section.

**40** G. The Commissioner shall provide supervision of the Virginia War Memorial Foundation and any other  
**41** nonprofit corporation established as an instrumentality to provide fundraising for the Memorial and assist in  
**42** the details of administering the affairs of the Memorial *as delineated by memoranda of understanding.*