

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 23.1-3218 of the Code of Virginia, relating to public institutions of higher*
 3 *education; other educational and cultural institutions; Virginia Museum of Fine Arts; powers of the*
 4 *board.*

5 [H 401]
 6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 23.1-3218 of the Code of Virginia is amended and reenacted as follows:**9 **§ 23.1-3218. Powers of the board.**

10 A. The board may:

11 1. Manage, control, maintain, and operate the Museum, including its contents, furnishings, grounds funds,
 12 property, and endowments;

13 2. Charge for admission to the Museum;

14 3. Employ a director, who shall be the chief executive officer of the Museum, and such persons as may be
 15 necessary to manage, control, maintain, and operate the Museum;

16 4. Consistent with subdivision 15 of § 2.2-2905, suspend and remove employees;

17 5. Determine which works of art shall be kept, housed, or exhibited in the Museum;

18 6. Acquire by purchase, gift, loan, or otherwise works of art and exchange or sell such works if not
 19 inconsistent with the terms of the purchase, gift, loan, or other acquisition;

20 7. Enter into agreements with organizations interested in art;

21 8. Adopt a seal;

22 9. Stimulate and assist in the formation of new organizations;

23 10. Do such other things as it deems proper to promote art education throughout the Commonwealth;

24 11. Receive and administer on behalf of the Commonwealth gifts, bequests, and devises of real and
 25 personal property for the endowment of the Museum or any special purpose designated by the donor;

26 12. Change the form of investment of any funds, securities, or other property, real or personal, provided
 27 that the form is not inconsistent with the terms of the instrument under which the property was acquired. The
 28 trustees may sell, grant, and convey any such property but, in the case of real property, only with the written
 29 consent of the Governor;

30 13. Confer the honorary degree of patron of arts on any person who has made an outstanding contribution
 31 to art, provided that no more than two such degrees shall be conferred in any calendar year; and

32 14. Adopt regulations to establish classes of membership in the Museum and set fees relating to the use
 33 and visitation of properties under the control of the board.

34 B. Nothing in this section shall be construed to prohibit the assessment and levying of a service charge
 35 pursuant to the provisions of Chapter 34 (§ 58.1-3400 et seq.) of Title 58.1.

36 C. The exercise of the powers conferred on the board by this article is the performance of an essential
 37 governmental function.

38 **2. The regulations on museum and grounds use and access set forth in 8VAC103-10 of the Virginia**
 39 **Administrative Code shall continue in effect and shall be deemed to constitute the regulations adopted**
 40 **in accordance with this act.**