



# **COMMONWEALTH of VIRGINIA**

*Office of the Attorney General*

Kenneth T. Cuccinelli II  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120  
7-1-1

## **MEMORANDUM**

**To:** Mr. Donald Palmer  
Secretary  
State Board of Elections

**From:** Joshua N. Lief  
Senior Assistant Attorney General

**Date:** June 26, 2013

**Subject:** Letter of Assurance for proposed regulations 1VAC20-50-30. Appeals of petition signature insufficiency.

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I have reviewed the State Board of Election's proposed Regulations, particularly 1VAC20-50-30, that were posted on the Virginia Regulatory Town Hall on June 25, 2013. In my view, as counsel to the State Board of Elections, these regulations may be promulgated pursuant to Title 24.2 of the *Code of Virginia*. Moreover, this regulatory action is exempt from the Administrative Process Act pursuant to §2.2-4002-B.8 as it relates to the conduct of elections. The proposed regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.