



COMMONWEALTH of VIRGINIA
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MEMORANDUM

TO: Colonel W. Steven Flaherty, Superintendent
Department of State Police

FROM: James E. Schliessmann
Assistant Attorney General

DATE: September 14, 2004

SUBJECT: Regulations Relating to the Issuance of Nonresident Concealed Handgun Carry Permits –
19 VAC 30-190-10 *et seq.*

In response to a request from the Department of State Police regarding the promulgation of regulations pursuant to Virginia Code § 18.2-308(P1), I have reviewed the proposed regulations, 19 VAC 30-190-10 *et seq.*, relating to the establishment of procedures for the application process, screening, and issuance of nonresident concealed handgun carry permits. Upon review of the aforesaid regulations, and in accordance with Executive Order 21 (2002), I find the proposed regulations to be constitutional, consistent with the statutory authority granted by § 18.2-308(P1) of the Code of Virginia, and in conformity with existing statutory provisions.

Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.