

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Alcoholic Beverage Control Authority
Virginia Administrative Code (VAC) Chapter citation(s)	3 VAC 5-70
VAC Chapter title(s)	Other Provisions
Action title	Chapter 70 Reform
Date this document prepared	01/16/2024
Regulatory Stage (including Issuance of Guidance Documents)	Proposed

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. No fiscal impact.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. No fiscal impact.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	<p>(a) There is no expected cost to the agency based on these changes.</p> <p>(b) These changes may impact the approximately 20,892 VA ABC licensees. The impact could result in a 20%-25% increase in penalties; however, that will only impact those licensees that commit violations and choose to settle for those penalties in lieu of going to a hearing.</p>	<p>(a) The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>
(3) Net Monetized Benefit	<p>The impact could result in a 20%-25% increase in penalties; however, that will only impact those licensees that commit violations and choose to settle for those penalties in lieu of going to a hearing.</p>	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	N/A	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. No fiscal impact.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. No fiscal impact.</p>	
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	<p>Direct Benefits: Describe the direct benefits of this proposed change here. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) No fiscal impact.	(b) No fiscal impact.
(3) Net Monetized Benefit	No fiscal impact.	
(4) Other Costs & Benefits (Non-Monetized)	No fiscal impact.	
(5) Information Sources	N/A	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. No fiscal impact.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. No fiscal impact.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) No fiscal impact.	(b) No fiscal impact.
(3) Net Monetized Benefit	No fiscal impact.	

(4) Other Costs & Benefits (Non-Monetized)	No fiscal impact.
(5) Information Sources	N/A

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. No fiscal impact.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. No fiscal impact.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) No fiscal impact.	(b) No fiscal impact.
(3) Other Costs & Benefits (Non-Monetized)	No fiscal impact.	
(4) Assistance	N/A	
(5) Information Sources	N/A	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. No fiscal impact.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. No fiscal impact.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) No fiscal impact.	(b) No fiscal impact.
(3) Other Costs & Benefits (Non-Monetized)	No fiscal impact.	
(4) Information Sources	N/A	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Describe the direct costs of this proposed change here. No fiscal impact.</p> <p>Indirect Costs: Describe the indirect costs of the proposed change. No fiscal impact.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p> <p>Indirect Benefits: Describe the indirect benefits of the proposed change. The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>	
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	<p>(a) There is no expected cost to the agency based on these changes.</p> <p>(b) These changes may impact the approximately 20,892 VA ABC licensees. The impact could result in a 20%-25% increase in penalties; however, that will only impact those licensees that commit violations and choose to settle for those penalties in lieu of going to a hearing.</p>	<p>(a) The benefit is to bring clarity to these regulations, remove redundancies, and incorporate standard Authority practices into the regulations.</p>
(3) Other Costs & Benefits (Non-Monetized)	No fiscal impact.	
(4) Alternatives	N/A	
(5) Information Sources	N/A	

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-10	Statutory:	9	0	2	-2
	Discretionary:	9	0	0	0
				Total Net Change of Statutory Requirements:	-2
				Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-20	Statutory:	3	0	1	-1
	Discretionary:	2	0	2	-2
				Total Net Change of Statutory Requirements:	-1
				Total Net Change of Discretionary Requirements:	-2

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-30	Statutory:	0	0	0	0
	Discretionary:	4	0	0	0
				Total Net Change of	0

Statutory Requirements:	
Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-40	Statutory:	8	0	0	0
	Discretionary:	3	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-60	Statutory:	8	0	0	0
	Discretionary:	6	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-70	Statutory:	4	0	0	0
	Discretionary:	3	0	0	0
Total Net Change of Statutory Requirements:					00
Total Net Change of Discretionary Requirements:					

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-90	Statutory:	15	0	4	-4
	Discretionary:	9	0	0	0
Total Net Change of Statutory Requirements:					-4
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-95	Statutory:	1	0	0	0
	Discretionary:	4	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-100	Statutory:	0	0	0	0
	Discretionary:	0	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-110	Statutory:	6	0	0	0
	Discretionary:	4	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-120	Statutory:	6	0	0	0
	Discretionary:	1	0	0	0
Total Net Change of Statutory Requirements:					0

Total Net Change of Discretionary Requirements:	
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VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change	
3VAC5-70-130	Statutory:	3	1	2	-2	
	Discretionary:	1	0	0	0	
					Total Net Change of Statutory Requirements:	0
					Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change	
3VAC5-70-140 (repealed)	Statutory:	3	0	3	-3	
	Discretionary:	0	0	0	0	
					Total Net Change of Statutory Requirements:	0
					Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-150	Statutory:	5	0	0	0
	Discretionary:	2	0	0	0

Total Net Change of Statutory Requirements:	0
Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-160	Statutory:	4	0	0	0
	Discretionary:	0	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-170	Statutory:	2	0	1	-1
	Discretionary:	0	0	0	0
Total Net Change of Statutory Requirements:					
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change

3VAC5-70-180	Statutory:	19	0	0	0	
	Discretionary:	8	0	0	0	
					Total Net Change of Statutory Requirements:	0
					Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change	
3VAC5-70-190	Statutory:	3	0	0	0	
	Discretionary:	2	0	0	0	
					Total Net Change of Statutory Requirements:	0
					Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change	
3VAC5-70-200	Statutory:	8	0	3	-3	
	Discretionary:	2	0	0	0	
					Total Net Change of Statutory Requirements:	0
					Total Net Change of Discretionary Requirements:	0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-210	Statutory:	32	0	2	-2
	Discretionary:	5	0	1	-1
Total Net Change of Statutory Requirements:					-2
Total Net Change of Discretionary Requirements:					-1

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-220	Statutory:	21	0	0	0
	Discretionary:	7	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-225	Statutory:	11	0	1	-1
	Discretionary:	8	2	1	1
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-230	Statutory:	5	0	0	0
	Discretionary:	0	4	0	4
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-240	Statutory:	11	0	0	0
	Discretionary:	1	0	0	0
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					0

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Net Change
3VAC5-70-250	Statutory:	21	0	3	-3
	Discretionary:	5	0	0	0
Total Net Change of Statutory Requirements:					0

Total Net Change of Discretionary Requirements:	0
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Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

N/A

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden

N/A

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Length	New Length	Net Change in Length

N/A

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).