



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: David Lermond
Executive Director
Virginia Racing Commission

From: Elizabeth B. Myers
Assistant Attorney General

Date: July 23, 2020

Subject: Letter of Assurance for Proposed Regulations – Regulation Pertaining to Historical Horse Racing found at 11 VAC 10-47

I have reviewed the Virginia Racing Commission’s proposed regulations found at 11 VAC 10-47 that were posted on the Virginia Regulatory Town Hall on July 13, 2020. In my view, as counsel to the Virginia Racing Commission, these regulations may be promulgated pursuant to Title 59.1 of the *Code of Virginia*. The 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.