



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: R. Thomas Payne, II
Senior Assistant Attorney General/Chief — Department of Law
Director, Division of Human Rights — Department of Law

From: Joshua E. Laws
Assistant Attorney General

Date: August 26, 2020

Subject: Letter of Assurance for Amended Regulations Regarding the Virginia Human Rights Act — Amendments to conform to statutory changes in the Virginia Values Act and other technical amendments found at 01 VAC 45-20

I have reviewed the Department of Law, Division of Human Rights' proposed Amended Regulations Regarding the Virginia Human Rights Act — Amendments to conform to statutory changes in the Virginia Values Act and other technical amendments found at 01 VAC 45-20, that were posted on the Virginia Regulatory Town Hall on August 21, 2020. In my view, as counsel to the Department of Law, these regulations may be promulgated pursuant to Title 2.2 of the Code of Virginia and Senate Bill 868 — enacted at Chapter 1140, 2020 Acts of Assembly. Further, I certify that the proposed changes are exempt from the Administrative Process Act under Code of Virginia §§ 2.2-4006(A)(3) and 2.2-4006(A)(4)(a) as they are regulations that consist only of changes in style or form or corrections of technical errors and are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.

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.