



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: January 29, 2021

Subject: Letter of Assurance for Amended Regulations Governing Disclosure of CID (Civil Investigative Demands) found at 01 VAC §§ 45-10 through 45-10-100

I have reviewed the Office of the Attorney General/Department of Law's proposed Amended Regulations Governing Disclosure of CID (Civil Investigative Demands) found at 01 VAC §§ 45-10 through 45-10-100, that were posted on the Virginia Regulatory Town Hall on January 29, 2021. In my view, as counsel to the Department of Law, these regulations may be promulgated pursuant to § 2.2-500 and §§ 59.1-9.1 – 59.1-9.17 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. The regulations also appear to qualify for the fast-track rulemaking process under § 2.2-4012.1 of the Code of Virginia because they are noncontroversial.

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.