



COMMONWEALTH of VIRGINIA

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To: Mr. Eric L. Olson, Executive Director
Polygraph Examiners Board
Virginia Department of Professional and Occupational Regulation
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From: Elizabeth B. Peay
Senior Assistant Attorney General

Date: September 28, 2021

Subject: Letter of Assurance for 18 VAC 120-30-40, 18 VAC 120-240
Exempt Action

I have reviewed the Polygraph Examiners Board's amendments to their Regulations. In my view, as counsel to the Polygraph Examiners Board, the Board may promulgate these regulations as an exempt action pursuant to §2.2-4006(A)(4)(a) 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.
