COMMONWEALTH of VIRGINIA

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# *M E M O R A N D U M*

**To:** LaTonya D. Hucks-Watkins
Virginia Alcoholic Beverage Control Authority
7450 Freight Way
Mechanicsville, VA 23116

**From:** Elizabeth B. Peay
Senior Assistant Attorney General

**Date:** November 5, 2026

**Subject:** Letter of Assurance 3 VAC 5-50

I have reviewed the Virginia Alcoholic Beverage Control Authority's amendments to their Regulations. In my view, as counsel to the Virginia Alcoholic Beverage Control Authority, the Authority may promulgate these regulations pursuant to §4.1-111(B)(25) of the Code of Virginia. The regulatory action further is exempt from the provisions of the Administrative Process Act per Enactment Clause 2 of the House Bill 975 of the 2026 General Assembly session. 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.