



Notice of Intended Regulatory Action (NOIRA) Agency Background Document

Agency name	Department of Corrections
Virginia Administrative Code (VAC) citation	6VAC15-50
Regulation title	Community Diversion Program Standards
Action title	Repeal 6VAC15-50 Community Diversion Program Standards
Date this document prepared	May 23, 2011

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Purpose

This action is to repeal 6VAC15-50, Community Diversion Program Standards, as unneeded since the responsibility for the Community Diversion Program has been moved to the Department of Criminal Justice Services.

Legal basis

These regulations were established under §53.1-182 of the Code of Virginia which was changed by Chapter 372 of the 1999 Acts of the General Assembly to place this responsibility on the Board of Criminal Justice Services. Chapter 491 of the 2002 Acts of the General Assembly repealed §53.1-182. Under the authority of §§53.1-5 and 9.1-175 of the Code of Virginia, the Board of Corrections plans to repeal these regulations pursuant to the APA.

Need

In accordance with Executive Order 14 (2010)

Substance

This action is to repeal 6VAC15-50, Community Diversion Program Standards, in its entirety.

Alternatives

No alternatives are available to the Board of Corrections as this responsibility has been legally transferred to the Board of Criminal Justice Services.

Public participation

The agency is seeking comments on the intended regulatory action, including but not limited to 1) ideas to assist in the development of a proposal, 2) the costs and benefits of the alternatives stated in this background document or other alternatives and 3) potential impacts of the regulation. The agency is also seeking information on impacts on small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected small businesses, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit comments may do so via the Regulatory Town Hall website, www.townhall.virginia.gov, or by mail, email, or fax to Jim Bruce, PO Box 26963, Richmond, VA 23261-6963, (804)674-3303, ext. 1130, FAX (804)674-3017, james.bruce@vadoc.virginia.gov. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by the last day of the public comment period.

A public hearing will not be held.

Participatory approach

No participation is appropriate as the Board of Corrections no longer has legal authority for 6VAC15-50, Community Diversion Program Standards.

Family impact

There is no anticipated impact on families.

Small business impact review

There is no anticipated impact on small businesses.