



# COMMONWEALTH of VIRGINIA

*Office of the Attorney General*

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## **MEMORANDUM**

**TO:** **KELLY T. GEE**  
Acting Executive Director  
Virginia Lottery

**FROM:** **AMY K. DILWORTH**  
Senior Assistant Attorney General

**DATE:** **May 4, 2022**

**SUBJECT:** **11 VAC 5-60 [Self-Exclusion Program]**

I am in receipt of the action to update regulations to incorporate casino gaming into the Self-Exclusion Program established pursuant to Virginia Code § 58.1-4103. You have asked the Office of the Attorney General to review and confirm the Virginia Lottery Board has the legal authority to amend these regulations and the amendments comport with state and federal law.

Based on my review, it is my view that the Virginia Lottery Board pursuant to Virginia Code §§ 58.1-4007A.15 and 58.1-4103 B.1, has the authority to amend these regulations subject to compliance with the provisions of Article 2 of the Administrative Process Act and has not exceeded that authority. 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.

Should you have any questions, please feel free to contact me.