



## **COMMONWEALTH of VIRGINIA**

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### **MEMORANDUM**

**TO:** Francine C. Ecker, Director  
Department of Criminal Justice Services

**FROM:** Charles A. Quagliato  
Assistant Attorney General

**DATE:** June 22, 2015

**SUBJECT:** Regulations Relating to Property and Surety Bail Bondsman – 6  
VAC 20-250-30, 6 VAC 20-250-230, and 6 VAC 20-250-250

In response to a request from the Department of Criminal Justice Services, I have reviewed the proposed regulations, 6 VAC 20-250-30, 6 VAC 20-250-230, and 6 VAC 20-250-250, relating to property and surety bail bondsman. Virginia Code § 9.1-102(46) requires the Department to license and regulate property bail bondsmen and surety bail bondsmen in accordance with Title 9.1, Article 11 (§ 9.1-185 et seq.) of the Code of Virginia. Virginia Code § 9.1-102(1) requires the Department to adopt regulations, pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), for the administration of this chapter. Upon review of the aforesaid regulations, I find the proposed regulations to be constitutional, consistent with the statutory authority granted by Virginia Code §§ 9.1-102(1), (46) and 9.1-185 et seq. of the Code of Virginia, and in conformity with existing statutory provisions. These changes to the regulations are exempted from the Administrative Process Act, pursuant to § 2.2-4006(A)(4)(a), as the changes are necessary to conform to changes in Virginia statutory law.

*Please note that this memorandum is intended to provide legal interpretations and legal advice, not policy advice. To the extent that this communication may advise you that a certain action is lawful, the decision whether to take such action remains a policy decision within the discretion of your agency and this communication should not be construed as a comment for or against the merits of such action.*

