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## Periodic Review and Small Business Impact Findings Where Result is "Retain the Regulation As Is"

<b>Agency name</b>	Department of State Police
<b>Virginia Administrative Code (VAC) citation</b>	19 VAC 30-110
<b>Regulation title</b>	<b>Regulations Governing the Creation of a Criminal Firearms Clearinghouse</b>
<b>Date</b>	December 2, 2014

This information is required pursuant to Executive Order 17 (2014).

### Legal basis

*Please identify the state and/or federal legal authority for the regulation, including: 1) the most relevant law and/or regulation; and 2) promulgating entity, i.e., agency, board, or person.*

Pursuant to § 52-25.1 of the Code of Virginia the Superintendent shall establish and maintain within the Department of State Police a Criminal Firearms Clearinghouse as a central repository of information regarding all firearms seized, forfeited, found or otherwise coming into the possession of any state or local law-enforcement agency of the Commonwealth which are believed to have been used in the commission of a crime. The Superintendent shall adopt and promulgate regulations prescribing the form for reporting this information and the time and manner of submission of the form

### Alternatives

*Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.*

There are no reasonable alternatives for achieving the purpose of the regulations and the regulations are mandated by Code.

**Public comment**

*Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

Commenter	Comment	Agency response

NO COMMENTS WERE RECIEVED

**Effectiveness**

*Please indicate whether the regulation meets the criteria set out in Executive Order 17 (2014), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.*

The Regulations meet the requirements of the executive Order and provide clear guidance for the implementation of the mandate.

**Result**

*Please state that the reason why the agency is recommending that the regulation should stay in effect without change.*

The regulations are mandated by § 52-25.1 and are necessary to carry out the functions of the clearinghouse. No need for changes was identified during the review process.

**Small business impact**

*In order to minimize the economic impact of regulations on small business, please include, pursuant to § 2.2-4007.1 E and F, a discussion of the agency’s consideration of: 1) the continued need for the regulation; 2) the nature of complaints or comments received concerning the regulation from the public; 3) the complexity of the regulation; 4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and 5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, include a discussion of the basis for the agency’s determination to retain the regulation as is, consistent with the stated objectives of applicable law, to minimize the economic impact of regulations on small businesses.*

In determining economic impact on small business the agency determined that (1) the statutory authority both authorizes and necessitates the continued need for the regulation; (2) that no complaints or comments were received concerning the regulation from the public; 3) the regulation is not complex and provides a basic framework for administering the program; 4)the regulation does not overlap, duplicate, or conflict with federal or state law or regulation; and 5) that technological, economic, or other changes in the area affected by the regulation have not impacted the need or form of the regulation. The regulation intended to protect the citizens of the Commonwealth is consistent with the stated objectives of applicable law and has little or no economic impact on small businesses. The regulation shall therefore be retained in its current form.