



[townhall.virginia.gov](http://townhall.virginia.gov)

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

|  |                                 |
|--|---------------------------------|
| <b>Agency name</b>                                 | Charitable Gaming Board         |
| <b>Virginia Administrative Code (VAC) citation</b> | 11 VAC 15-13                    |
| <b>Regulation title</b>                            | Public Participation Guidelines |
| <b>Date</b>  | October 19, 2015                |

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.*

Section 2.2-2455 of the *Code of Virginia* (Code) establishes the Charitable Gaming Board (Board) as a policy board. Section 18.2-340.15 of the Code authorizes the Board to prescribe regulations and conditions under which charitable gaming is to be conducted in Virginia.

Section 2.2-4007.02 of the Code, requires that agencies adopt public participation guidelines for the formation and development of their regulations. Section 18.2-340.18 of the Code authorizes the Board to carry out the provisions of the article to exercise the control of charitable gaming set forth in Section 18.2-340.15.

### 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.*

The regulation is a requirement of Section 2.2-4007.02 of the Code; therefore, no viable alternative to the Board's public participation guideline was identified. The regulation was adopted in 2008 and follows the template adopted for all agencies. The regulation places no burden on any member of the public. It places requirements on the Board for minimum public notice of all regulatory activity.

### 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.*

---

The agency received no comments during the public comment period and did not form an informal advisory group to assist in this periodic review.

### 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.*

---

This regulation is required by Section 2.2-4007.02 of the Code and establishes the mechanisms by which the agency will advise the public of the agency's regulatory actions. Notice of the agency's regulatory actions assists in protecting the public's welfare. The regulation is clearly written and easily understandable.

### Result

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

---

The agency recommends that this regulation stay in effect without change because it is required by Section 2.2-4007.02 of the Code and assists in notifying the public of the agency's regulatory actions. No significant changes have occurred since this regulation was promulgated that necessitate amending it.

### 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 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.*

---

The regulation is necessary in order to execute the purpose of the Charitable Gaming Regulations (11 VAC 15-40). The Board routinely reviews its regulations and adopts amendments as necessary. The public, including small businesses, needs to be informed of the various stages of the regulatory process and their statutory right to participate. There have been no complaints or comments received from the public concerning this regulation. The regulation is not particularly complex and it does not overlap, duplicate, or conflict with federal or state law or regulation. Since this regulation's adoption in 2008, there have not been significant changes in technology, economic conditions, or other factors that would necessitate amending this regulation.