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Exempt Action: Final Regulation Agency Background Document

Agency name	Cemetery Board
Virginia Administrative Code (VAC) Chapter citation(s)	18VAC47-20
VAC Chapter title(s)	Cemetery Board Regulations
Action title	Amendment to conform to Chapter 537 (2020)
Final agency action date	September 9, 2020
Date this document prepared	September 18, 2020

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

Chapter 537 of the 2020 Acts of Assembly, effective July 1, 2020, amended § 54.1-2312.01 of the Code of Virginia to allow the burial of cremated pets with human remains at board-regulated cemeteries under limited conditions. The Cemetery Board is amending its applicable regulation (18 VAC 47-20-190) to conform to the statutory change; there is no agency discretion pursuant to Va. Code § 2.2-4006.A.4.a.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

The mandate for this regulatory change results from SB 1070, enacted during the 2020 Session of the General Assembly.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

The Cemetery Board reviewed and adopted this exempt action amending the Cemetery Board Regulations at its meeting on September 9, 2020.