



COMMONWEALTH of VIRGINIA
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MEMORANDUM

To: Jeremy Preiss
Acting Head, Virginia Cannabis Control Authority

From: James M. Flaherty
Senior Assistant Attorney General

Date: October 28, 2024

Subject: Letter of Assurance for Amended Regulations – Regulated Operations found at 3VAC10-40 et seq.

I have reviewed the Virginia Cannabis Control Authority's amended regulations for Regulated Operations found at 3VAC10-40 et seq. that were posted on the Virginia Regulatory Town Hall on October 28, 2024. In my view, as counsel to the Virginia Cannabis Control Authority, this regulation may be promulgated pursuant to Title 4.1 of the Code of Virginia. 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. The regulations also appear to be exempt from the rulemaking process under § 4.1-1602(Q) of the Code of Virginia.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulation.