



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: David Gianino
Program Manager
Office of Plant Industry Services
Virginia Department of Agriculture and Consumer Services

From: Justin I. Bell
Assistant Attorney General

Date: October 25, 2024

Subject: Regulations for Tradespersons Installing Invasive Plant Species, 2 VAC 5-455

I have reviewed the Board of Agriculture and Consumer Services's proposed amendments of the Regulations for Tradespersons Installing Invasive Plant Species at 2 VAC 5-455. In my view, as counsel to the Board, the Board take this regulatory action pursuant to § 3.2-802(C) of the *Code of Virginia*. This action does 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.

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 regulations.