



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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MEMORANDUM

TO: **KHALID R. JONES**
Executive Director
Virginia Lottery

FROM: **AMY K. DILWORTH**
Senior Assistant Attorney General

DATE: December 4, 2024

SUBJECT: Periodic Review of 11 VAC 5-41
[Lottery Game Regulations]

I am in receipt of the periodic review of the subject regulations. The review is conducted pursuant to Executive Order 19 (2022) and Virginia Code §§ 2.2-4007.1 and 2.2-4017.

You have asked the Office of the Attorney General to review and confirm the Virginia Lottery Board has the legal authority to amend these regulations and the amendments comport with state and federal law.

Based on my review, it is my view that the Virginia Lottery Board, pursuant to Virginia Code § 58.1-4007A, has the authority to amend these regulations subject to compliance with the provisions of Article 2 of the Administrative Process Act, and has not exceeded that authority. 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.

Should you have any questions, please do not hesitate to contact me.