

COMMONWEALTH of VIRGINIA

Office of the Attorney General

Kenneth T. Cuccinelli, II Attorney General 900 East Main Street Richmond, Virginia 23219 804-786-2071 FAX 804-786-1991 Virginia Relay Services 800-828-1120 7-1-1

MEMORANDUM

To: William H. Ferguson, II, Executive Director

Board for Barbers and Cosmetology

Department of Professional and Occupational Regulation

From: Elizabeth B. Peay

Assistant Attorney General

Counsel to the Board for Barbers and Cosmetology

Date: December 29, 2011

Subject: Letter of Assurance for Proposed Regulation 18 VAC 41-40-260

I have reviewed the Proposed Regulation issued by the Board for Barbers and Cosmetology. In my view, as counsel to the Board, the Board may promulgate these regulations, pursuant to § 54.1-201 of the *Code of Virginia*. The regulations do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with federal or state law currently in effect.

This memorandum addresses legal matters only, is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed, regulations, and does not address, or express a position on, matters of public policy.