

Office of Regulatory Management
Economic Review Form

Agency name	Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) Chapter citation(s)	11 VAC 15-40
VAC Chapter title(s)	Charitable Gaming Regulations
Action title	Repeal of Charitable Gaming Board's Charitable Gaming Regulation
Date this document prepared	January 3, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Exempt - Final

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>There is no direct or indirect cost or benefit resulting from this regulatory action to repeal the Charitable Gaming Board’s <i>Charitable Gaming Regulations</i>, 11 VAC 15-40.</p> <p>Chapters 554 and 609 of the 2022 Acts of Assembly (i) eliminated the provisions of the Code of Virginia that authorized the Charitable Gaming Board to promulgate regulations and reclassified the Board as an advisory board within the meaning of Va. Code § 2.2-2100, and (ii) authorized the Commissioner of Agriculture and Consumer Services to promulgate regulations to carry out the provisions of the Charitable Gaming Law (Article 1.1:1 of Chapter 8 of Title 18.2 of the Code). Chapters 554 and 609 of the 2022 Acts of Assembly provide that the regulations of the Charitable Gaming Board shall be administered by the Department of Agriculture and Consumer Services and shall remain in full force and effect until the Commissioner of Agriculture and Consumer Services promulgates regulations. The Department of Agriculture and Consumer Services is currently conducting a separate regulatory action to promulgate, <i>Charitable Gaming Regulations</i>, 11 VAC 20-20, which will consist of the regulatory provisions established in 11 VAC 15-40 and new provisions regarding electronic gaming.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	N/A	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>The status quo (i.e., retaining 11VAC15-40) cannot be maintained.</p> <p>This regulatory action to repeal the Charitable Gaming Board’s Charitable Gaming Regulations is custodial in nature and required due to the enactment of Chapter 554 and 609 of the 2022 Acts of Assembly, which (i) eliminated the provisions of the Code of Virginia that</p>
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	authorized the Charitable Gaming Board to promulgate regulations, (ii) reclassified the Board as an advisory board within the meaning of Va. Code § 2.2-2100, and (iii) authorized the Commissioner of Agriculture and Consumer Services to promulgate regulations to carry out the provisions of the Charitable Gaming Law.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	N/A	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	This regulatory action to repeal 11 VAC 15-40 is necessary to conform to the provisions of Chapters 554 and 609 of the 2022 Acts of Assembly, and the Department of Agriculture and Consumer Services has no discretion with respect to the repeal of this regulation.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	N/A	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no direct or indirect costs or benefits on local partners resulting from this regulatory action to repeal 11 VAC 15-40.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Assistance	N/A	
(5) Information Sources	N/A	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no direct or indirect costs or benefits on families resulting from this regulatory action to repeal 11 VAC 15-40.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	

(4) Information Sources	N/A
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Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no direct or indirect costs or benefits on small businesses resulting from this regulatory action to repeal 11 VAC 15-40.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Alternatives	N/A	
(5) Information Sources	N/A	

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

	Number of Requirements			
Chapter number	Initial Count	Additions	Subtractions	Net Change
11 VAC 15-40	301	0	0*	0*
TOTAL	301	0	0*	0*

*The existing requirements in 11 VAC 15-40 are included in the regulatory action to promulgate 11 VAC 20-20. The repeal of 11 VAC 15-40 and the promulgation of 11 VAC 20-20 will have the same effective date. As such, there will be no change in the number of regulatory requirements as a result of the repeal of 11 VAC 15-40.