



COMMONWEALTH of VIRGINIA

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MEMORANDUM

To: Wade A. Jewell
Executive Director
Virginia Board of Accountancy

From: Robert N. Drewry
Assistant Attorney General

Date: March 5, 2018

Subject: Letter of Assurance for Proposed Regulations – New Regulation for Issuance, Renewal, and Reinstatement of Licenses found at 18 VAC 5-22

I have reviewed the Board of Accountancy's new regulations proposed as a result of the enactment of Chapter 45 of the 2018 Acts of Assembly (2018 Va. Acts Ch. 45) found at 18 VAC 5-22-180 that were posted on the Virginia Regulatory Town Hall on February 27, 2018. In my view, as counsel to the Board of Accountancy, these regulations may be promulgated pursuant to Title 54.1 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. Further, I certify that the proposed regulation is an emergency under the Administrative Process Act under *Code of Virginia* § 2.2-4011(B) because Chapter 45 of the 2018 Acts of Assembly requires the regulations to be effective no later than July 1, 2018, which is less than 280 days from enactment.

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.