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Periodic Review and Small Business Impact Findings Where Result is "Retain the Regulation As Is"

Agency name	Department of Corrections
Virginia Administrative Code (VAC) citation	6 VAC15-45
Regulation title	Regulations for Private Management and Operation of Prison Facilities
Date	January 28, 2016

This information is required pursuant to Executive Order 17 (2014).

Legal basis

Code of Virginia Section §53.1-5 and §53.1-266

Alternatives

There are no known alternatives as the Code of Virginia requires the Board of Corrections to make, adopt, and promulgate regulations governing private management and operation of prison facilities.

Public comment

No public comments were received when notice of this periodic review was published in the November 30, 2015 edition of the Virginia Register.

Effectiveness

6 VAC15-45, Regulations for Private Management and Operation of Prison Facilities, meets the criteria set out in Executive Order 17 (2014) in that it is necessary for the protection of public health, safety, and welfare of staff and offenders in privately owned and operated prison facilities. This regulation has proven effective in meeting this need and is deemed to be clearly written and easily understandable.

Result

The Department of Corrections is recommending that 6 VAC15-45, Regulations for Private Management and Operation of Prison Facilities should stay in effect without change as there have been no changes in relevant statutes.

Small business impact

6 VAC15-45, Regulations for Private Management and Operation of Prison Facilities, is necessary as the Code of Virginia requires the Board of Corrections to make, adopt, and promulgate regulations governing private management and operation of prison facilities. There have been no complaints or comments received from the public concerning the regulation. The regulation is not deemed to be overly complex nor does it overlap, duplicate, or conflict with federal or state law or regulation. Technology, economic conditions, or other factors have not significantly changed in the area affected by the regulation since it was last reviewed in 2011. There is no known small business impact of this regulation.