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## Periodic Review and Small Business Impact Review Report of Findings

<b>Agency name</b>	Charitable Gaming Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	11 VAC15-13
<b>VAC Chapter title(s)</b>	Public Participation Guidelines
<b>Date this document prepared</b>	June 29, 2020

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

## Acronyms and Definitions

*Define all acronyms used in this Report, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

"Board" means the Charitable Gaming Board.

"Charitable Gaming Law" means Article 1.1:1 of Chapter 8 of Title 18.2 of the Code of Virginia (Va. Code §18.2-340.15 et seq.).

## Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

Section 2.2-2455 of the Code of Virginia (Code) establishes the Charitable Gaming Board (Board) as a policy board. Section 18.2-340.15 of the Code authorizes the Board to prescribe regulations and conditions under which charitable gaming is to be conducted in Virginia.

Section 2.2-4007.02 of the Code requires that agencies adopt public participation guidelines for the formation and development of their regulations.

### Alternatives to Regulation

*Describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.*

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The agency has determined that no viable alternatives exist for this regulation.

Section 2.2-4007.02 of the Code requires the Board to adopt public participation guidelines. The regulation promotes public involvement in the development, amendment, or repeal of the Charitable Gaming Regulations (11 VAC 15-40). The agency determined these requirements are not unnecessarily burdensome and provide an important means of promoting public involvement in the development of the Board's regulations to ensure charitable gaming activities are conducted in a manner consistent with the purpose for which they are permitted under the Charitable Gaming Law.

### Public Comment

*Summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Be sure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. Indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

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No comments were received during the public comment period and an informal advisory group was not formed for the purpose of assisting in the periodic review.

### Effectiveness

*Pursuant to § 2.2-4017 of the Code of Virginia, indicate whether the regulation meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.*

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This regulation is required by Section 2.2-4007.02 of the Code and assists in promoting public participation in the development, amendment, or repeal of the Charitable Gaming Regulations (11 VAC 15-40). The regulation ensures the integrity of charitable gaming in Virginia, thereby protecting the public safety and economic welfare of Virginians, including the organizations that conduct charitable gaming. This regulation is clearly written and easily understandable.

### Decision

*Explain the basis for the promulgating agency's decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).*

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The agency recommends that the regulation stay in effect without change as it provides an important means of promoting public participation in the development, amendment, or repeal of the Charitable Gaming Regulations (11 VAC 15-40). There have been no changes in the charitable gaming industry that necessitate amendments to the current regulation.

### Small Business Impact

*As required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency's decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.*

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The agency determined that requirements established in the Public Participation Guidelines continue to be necessary and are not unnecessarily burdensome. The agency has received no complaints or comments concerning this regulation. The agency has determined that this regulation is not unnecessarily complex and that the complexity of this regulation is not such that it would have an economic impact on small businesses.

The regulation does not overlap, duplicate, or conflict with any federal or state law or regulation. The regulation was last amended in November 2008, and it last underwent periodic review in 2015. The agency has determined that no change in the affected industry has occurred since the regulation was last amended that would necessitate the amendment or repeal of this regulation.

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