



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Jay Jones
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120

To: Ms. Anika Coleman, Executive Director
Cemetery Board
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233

From: James M. Flaherty
Senior Assistant Attorney General

Date: September 24, 2026

Subject: Letter of Assurance for Amended Regulations - amendments to Cemetery Board Rules and Regulations found at 18 VAC 47-20 et al.

I have reviewed the Cemetery Board's amendments to Cemetery Board Rules and Regulations found at 18 VAC 47-20 et al. that were posted on the Virginia Regulatory Town Hall on September 23, 2026. In my view, as counsel to the Cemetery Board, the Board has the authority to promulgate these amended regulations pursuant to §54.1-2313 of the Code of Virginia. These 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. The regulations also appear to be exempt from the

rulemaking process under § 2.2-4006(A)(4)(a) of the Code of Virginia. 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 amended regulations.
