



# **COMMONWEALTH of VIRGINIA**

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## **MEMORANDUM**

**To:** Michael Menefee  
Program Manager  
Charitable and Regulatory Programs  
Virginia Department of Agriculture and Consumer Services

**From:** Justin I. Bell  
Assistant Attorney General

**Date:** September 15, 2022

**Subject:** Letter of Assurance for the Repeal of Texas Hold'em Poker Tournament Regulations 11 VAC 15-50

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I have reviewed the Department of Agriculture and Consumer Services's (the Department) proposed repeal of regulations Texas Hold'em Poker Tournament Regulations 11 VAC 15-50 that was posted on the Virginia Regulatory Town Hall on September 12, 2022. In my view, as counsel to the Department, these regulations may be repealed pursuant to § 18.2-340.19 of the *Code of Virginia*.

Further, the repeal of these regulations is exempt from the requirements of Article 2 of Chapter 40 of Title 2.2 of the *Code of Virginia* pursuant to § 2.2-4006(A)(4)(a) as well as Chapters 554 and 609 of the 2022 Acts of Assembly. I note that Chapters 554 and 609 of the 2022 Acts of Assembly mandate that the Commissioner shall promulgate regulations regarding Texas Hold'em Poker Tournaments and this repeal is in

furtherance of accomplishing this mandate. The regulatory action does not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor does it appear to conflict with any federal or state law currently in effect.

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 this regulatory action.