



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

To: Steven W. Sturgis
President
Board for Agriculture and Consumer Services

Sandra J. Adams
Commissioner
Virginia Department of Agriculture and Consumer Services

From: James M. Flaherty
Assistant Attorney General

Date: February 13, 2015

Subject: Letter of Assurances for Proposed Amendments to Rules and Regulations Pertaining to Public and Private Animal Shelters, 2 VAC 5-111 *et seq.*

I have reviewed the Department of Agriculture and Consumer Services' proposed Amendments to Rules and Regulations Pertaining to Public and Private Animal Shelters, 2 VAC 5-111 *et seq.* that were posted to the Virginia Regulatory Town Hall on February 10, 2015. In my view, as counsel to the Department of Agriculture and Consumer Services, the Board may promulgate these regulations pursuant to § 3.2-6501 of the *Code of Virginia*. The regulations do not appear, on their face, to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with 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 the proposed regulations.