Introduction - Researching Texas Administrative Materials

When do questions of state administrative law come up? Moreover, why should we be concerned about them? Unbelievably, various types of patrons often are confronted with administrative law issues. Consider the following situations:

- Appeal from agency decision (i.e., worker’s compensation, civil rights)
- Drivers license suspension and revocation
- Investigations and Inquests
- Occupational and professional licensing and revocation issues
- Liquor license and control issues
- Lottery, gaming, and racing license and oversight issues
- Occupational health & safety issues

Administrative law is primary authority although subordinate to legislation. Unlike legislation, which provides us with 51 jurisdictions, each jurisdiction has numerous administrative agencies each with their practices and publications. When researching state administrative law, it helps to bear in mind that administrative law serves two functions:

1. Rulemaking – the administration of legislation, including interpretation and application of statutes; and

2. Case adjudication – the implementation or enforcement of legislative and regulatory standards.

There are some resources available for locating both administrative rules and regulations and administrative agency decisions. Some of these materials are available in print, while others are available electronically either free of charge on the internet or by subscription to various databases.
TEXAS
The Texas Administrative Procedures Act and its provisions may be found at:

Texas Administrative Code
The Texas Administrative Code contains rules adopted by Texas Agencies and is
arranged in subject matter order. The Code is updated annually in softbound volumes.
The Texas Secretary of State offers the Code online at:
http://texreg.sos.state.tx.us/public/readtac$ext.viewtac

Texas Register
The Texas Register contains State Rules and Open Meetings. The Register serves as the
journal of state agency rulemaking for Texas. The Register is indexed quarterly and
published weekly.

The most current Texas Register are searchable back to 2000 at the Secretary of State’s
Office:
http://www.sos.state.tx.us/texreg/

 Archived issues of the Register are searchable and hosted by the University of North
Texas at:
http://texinfo.library.unt.edu/texasregister/

For a list of Texas Agencies and links to their websites

Texas Administrative Decisions
The State Office of Administrative Hearings (SOAH) is an independent agency within
the executive branch of the State of Texas. SOAH conducts hearings and mediations in
response to referrals from more than 50 state agencies and governmental entities.
http://www.soah.texas.gov/index.asp

Texas Attorney General Opinions
Texas Attorney General Opinions, letter opinions, and advisory opinions can be found on
the State’s Attorney General’s website. Opinions dating back to 1939 are available and
searchable on the State’s website. For an Index of opinions in numerical order:
https://www.texasattorneygeneral.gov/opinion/index-to-opinions