
Administrative Law Case Update

Overview

- Substantive due process
- Rule-making
- Agency authority
- What is a governmental entity?
- Governmental Immunity

Substantive due process

Patel v. Tex. Dep't of Lic. & Reg. (Tex. 2015)

A statute violates the Texas due-course-of-law requirement in an “as applied challenge to an economic regulation statute” if the “actual, real-world effect” is “so burdensome as to be oppressive in light of” the governmental interest.

Rule-making

Texas State Bd. v. Witcher

(Austin 2014, pet. filed)

Opinion on rehearing states:

The limits on ad hoc rulemaking in the Texas Supreme Court's *Rodriguez v. Service Lloyds Ins.* are binding on the court of appeals, not dicta.

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