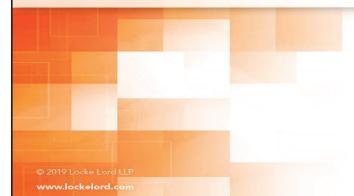


## **Back to Basics: The Rules of Rulemaking**

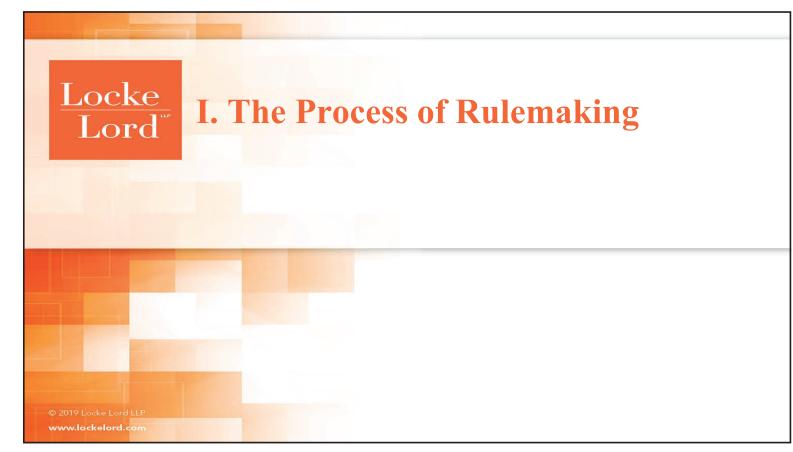
- I. The Process of Rulemaking and
- II. Judicial Review of Agency Rules



Carrie Collier-Brown, Senior Counsel

UT Law Advanced Texas Administrative Law Seminar August 15, 2019

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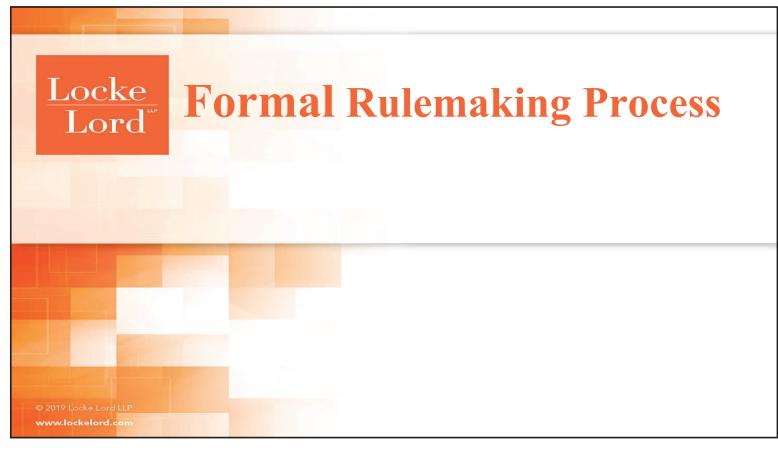
## Three Ways to Adopt a Rule

- Formal Rulemaking
- Negotiated Rulemaking
- Emergency Rulemaking

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## 3 Phases of Formal Rulemaking

- 1. Public Notice of Proposed Rule in *Texas Register*
- 2. Public Comment on Proposed Rule
- 3. Adoption of Proposed Rule

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## What Must Be in the Public Notice?

- 1. Brief explanation of proposed rule
- Text of proposed rule that shows words added/deleted from current text
- 3. Statement of statutory authority
- 4. Fiscal note for first 5 years
- 5. Note re: public benefits and costs for first 5 years
- 6. Local employment impact statement, if required
- 7. Request for comments on the proposed rule
- 8. Any other statement required by law

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Title search: Back to Basics: The Rules of Rulemaking: The Process of Rulemaking and Judicial Review of Agency Rules

Also available as part of the eCourse 2019 Advanced Texas Administrative Law eConference

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