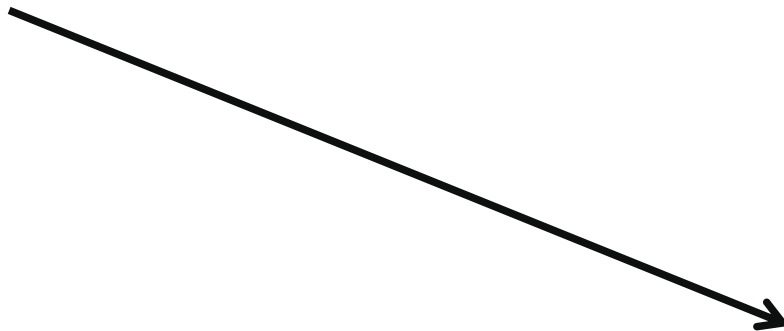


# Agency Advisory Opinions

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## The spectrum of agency action:

**Adjudication**



**Rulemaking**

## **The spectrum of agency action:**

**Adjudication**



**Advisory Opinions**



**Rulemaking**

## **Different types of Advisory Opinions:**

- **Adjudications that become “ad hoc rules.”**
- **Opinions that go too far and become “rules.”**
- **Informal statements/interpretive comments/answers to FAQs.**
- **Formal Advisory Opinions that are statutorily authorized.**

## **Formal Advisory Opinions:**

- **Expressly authorized by statute.**
- **May be binding on the agency.**
- **Not reviewable.**

## **Who wants Advisory Opinions?**

- **Agencies.**
- **The people and companies they regulate.**
- **The public.**

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## Title search: The Advisability of Agency Advisory Opinions

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First appeared as part of the conference materials for the  
12<sup>th</sup> Annual Advanced Texas Administrative Law Seminar session  
"The Advisability of Agency Advisory Opinions"