

## Administrative:

### Texas: New Law Addresses Whether Administrative Agencies are Entitled to Deference from Reviewing Courts

S.B. 14, signed by gov. 4/23/25. According to accompanying bill notes, recently enacted legislation seeks to codify Texas' agency deference standard by providing that Texas courts are *not* required to defer to Texas agencies' legal determinations. Specifically, the enacted legislation provides that a Texas court is *not* required to give deference to a state agency's legal determination regarding the construction, validity, or applicability of the law or a rule adopted by the state agency responsible for the rule's administration, implementation, or other enforcement; however, a Texas court may choose to give consideration to a legal determination made by a state agency that is "reasonable and does not conflict with the plain language of the statute." Regarding questions of law, the legislation provides that the reviewing court "shall review all questions of law de novo, including the interpretation of constitutional or statutory provisions or rules adopted by a state agency, without giving deference to any legal determination by a state agency;" however, a Texas court may choose to give consideration to a legal determination made by a state agency that is "reasonable and does not conflict with the plain language of the statute." Please contact us with any questions.

URL: <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=89R&Bill=SB14>

URL: <https://capitol.texas.gov/tlodocs/89R/analysis/pdf/SB00014H.pdf>

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