

## **BILL ANALYSIS**

Senate Research Center

S.B. 332  
By: Armbrister  
State Affairs  
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As Filed

### **DIGEST**

Currently, an administrative law judge's powers of decision making are limited. During the interim of the 74th Legislature, the effectiveness of the transfer of administrative hearings from individual state agencies to the State Office of Administrative Hearings (SOAH) was reviewed.

The review found that less than 4 percent of the matters adjudicated before SOAH are altered by the respective governing bodies. An agency is authorized to overturn an administrative law judge's decision and pursue the next level of judicial review by citing certain reasons. S.B. 332 requires the decision of the administrative law judge to be binding on occupational regulatory agencies.

### **PURPOSE**

As proposed, S.B. 332 requires the decision of the administrative law judge to be binding on occupational regulatory agencies.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2001.058, Government Code, by adding Subsection (f), to provide certain conditions for a contested case that concerns licensing in relation to an occupational license and that is not disposed of by stipulation, agreed settlement, or consent order.

SECTION 2. Amends Section 2003.042, Government Code, to authorize an administrative law judge, if expressly authorized by other law, to make the final decision in a contested case, among other duties.

SECTION 3. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 4. Emergency clause.