

TCJL Business Conservative Principles

Preserving the Texas Miracle

1

Does the proposal violate Texas or U.S. Constitutions?

Examples:

Violates bill of rights?

Violates substantive due process?

Violates procedural due process?

Restricts freedom of movement?

Violates federalism such as operating outside of Texas or violating the supremacy clause?

Violates separation of powers such as the independence of or improper use of courts?

no

2

Does the proposal confer standing on uninjured party?

no

3

Does the proposal create a new cause of action?

no

4

Does the proposal undo prior reforms?

no

5

Does the proposal impose new civil or criminal liability on business?

no

6

Does the proposal interfere with freedom to contract?

no

Neutral

yes

yes

yes

yes

yes

yes

NO

REGULATION
BY LITIGATION

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