A Snapshot of Texas Regulation in 2018
226,898 Restrictions, 14.9 Million Words, and 21 Weeks to Read

by James Broughel and Jonathan Nelson
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It would take an ordinary person more than two and a half years to read the entire US *Code of Federal Regulations* (CFR), which contained more than 104 million words in 2016.[1] The sheer size of the CFR poses a problem not just for the individuals and businesses that want to stay in compliance with the law but also for anyone interested in understanding the consequences of this massive system of rules. States also have sizable regulatory codes, which add an additional layer to the large body of federal regulation. A prime example is the online version of the 2018 *Texas Administrative Code* (TAC).[2]

Researchers at the Mercatus Center at George Mason University developed State RegData,[3] a platform for analyzing and quantifying state regulatory text. State RegData captures information in minutes that would take an ordinary person hours, weeks, or even years to obtain. For example, the tool allows researchers to identify the industries that state regulation targets most by connecting text relevant to those industries with restrictive word counts. Known as regulatory restrictions, the words and phrases *shall*, *must*, *may not*, *prohibited*, and *required* can signify legal constraints and obligations.[4] As shown in figure 1, the three industries with the highest estimates of industry-relevant restrictions in the 2018 TAC are chemical manufacturing, food manufacturing, and animal production and aquaculture.
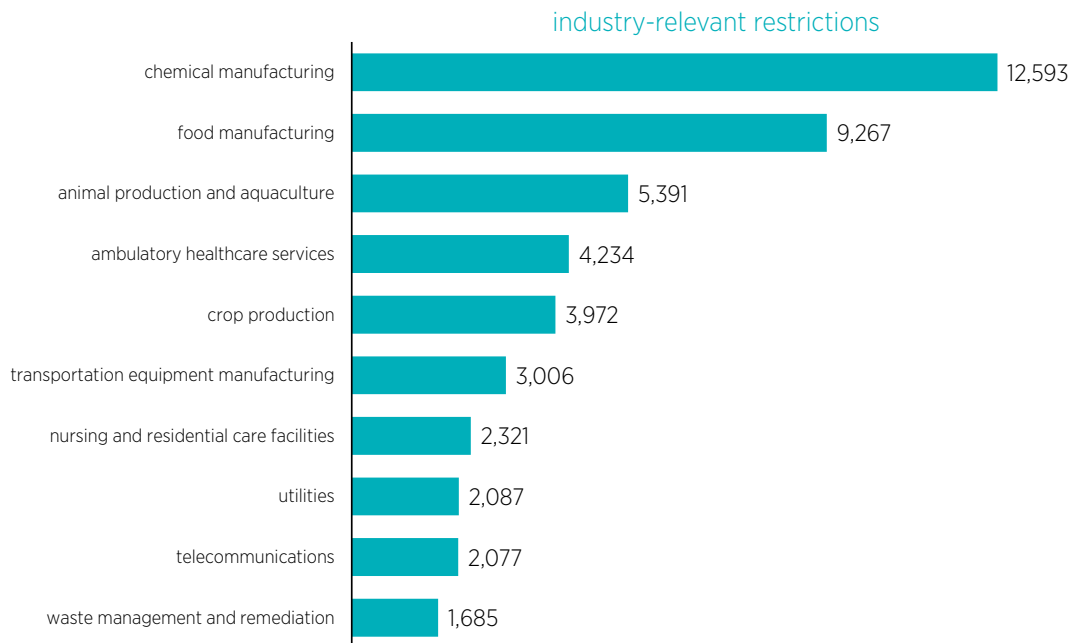
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1. This assumes the person reads 300 words per minute for 40 hours per week with two weeks of vacation per year. "RegData 3.0," QuantGov; Patrick A. McLaughlin, Oliver Sherouse, Daniel Francis, Michael Gasvoda, Jonathan Nelson, Stephen Strosko, and Tyler Richards, "RegData 3.0 User's Guide," accessed February 15, 2018, https://quantgov.org/regdata/users-guide/.
2. Texas Secretary of State, *Texas Administrative Code*, accessed January 12, 2018.
3. State RegData is part of a broader project called QuantGov, which seeks to quantify legal text. See Patrick A. McLaughlin and Oliver Sherouse, "QuantGov—A Policy Analytics Platform," QuantGov, December 20, 2017.
4. Restrictions can also occur in legal text for other purposes, such as for definitional purposes. At times, restrictions may relate to government employees rather than the private sector.

Figure 1. Top 10 Industries Targeted by Texas State Regulation in 2018

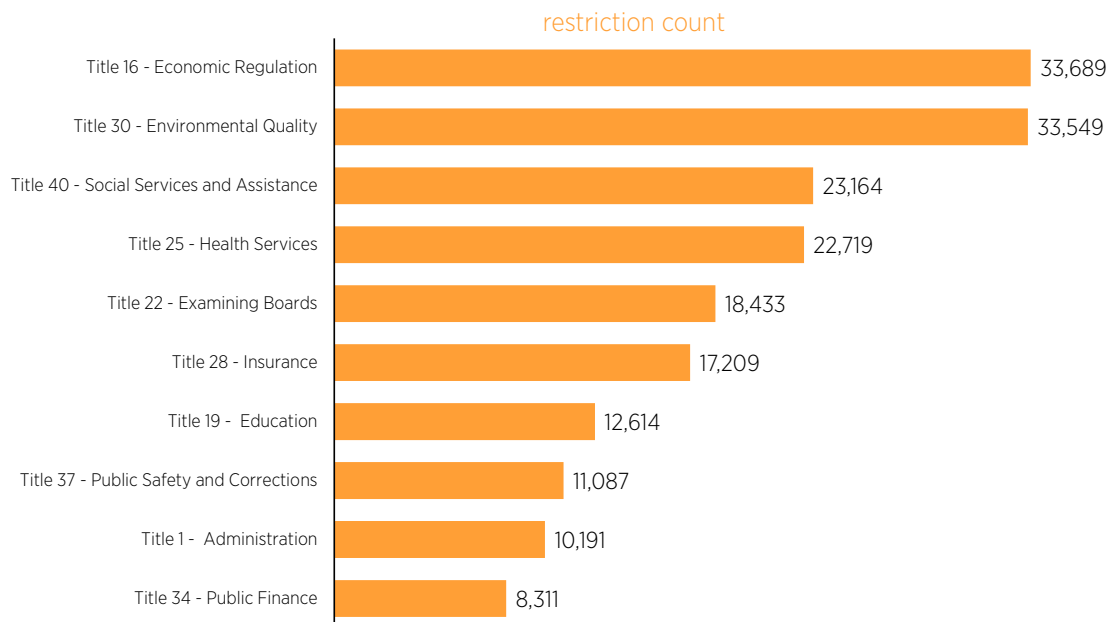Source: State RegData, "Texas," http://www.quantgov.org/data/.

State RegData also reveals that the TAC contains 226,898 restrictions and 14.9 million words. It would take an individual about 829 hours—or almost 21 weeks—to read the entire TAC. That's assuming the reader spends 40 hours per week reading and reads at a rate of 300 words per minute. By comparison, there are more than 1.08 million additional restrictions in the federal code.[5] Individuals and businesses in Texas must navigate these different layers of restrictions to remain in compliance.

The titles of the TAC are organized based on the type of regulation they contain. Figure 2 shows that the title of the TAC associated with economic regulation contains more than 33,600 restrictions. By this measure, this is the biggest title in the TAC. Coming in second is the title related to environmental quality, with more than 33,500 restrictions.

Federal regulation tends to attract the most headlines, but it is important to remember that the more than 104 million words and 1.08 million restrictions in the federal code significantly understate the true scope of regulation in the United States. States like Texas write millions of additional words of regulation and hundreds of thousands of additional restrictions. State-level requirements carry the force of law to restrict individuals and businesses just as federal ones do.

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5. "RegData 3.0"; McLaughlin et al., "RegData 3.0 User's Guide."

Figure 2. Top 10 Titles in the Texas Administrative Code in 2018

restriction count

Title	Count
Title 16 - Economic Regulation	33,689
Title 30 - Environmental Quality	33,549
Title 40 - Social Services and Assistance	23,164
Title 25 - Health Services	22,719
Title 22 - Examining Boards	18,433
Title 28 - Insurance	17,209
Title 19 - Education	12,614
Title 37 - Public Safety and Corrections	11,087
Title 1 - Administration	10,191
Title 34 - Public Finance	8,311

Source: State RegData, "Texas," http://www.quantgov.org/data/.

Researchers are only beginning to understand the consequences of the massive and growing federal regulatory system on economic growth and well-being in the United States.[6] Meanwhile, the effects of state regulation remain largely unknown. If this snapshot of Texas regulation in 2018 is a good indicator, then the states are also active regulators, suggesting that the full impact of regulation on society is far greater than that of federal regulation alone.

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6. See, for example, Bentley Coffey, Patrick A. McLaughlin, and Pietro Peretto, "The Cumulative Cost of Regulations" (Mercatus Working Paper, Mercatus Center at George Mason University, Arlington, VA, 2016).

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