

# THE ATTORNEY GENERAL

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## Opinions

Opinion No. AC-0005

The Honorable Dee Hobbs

Williamson County Attorney

405 M.L.K. Street, #7

Georgetown, Texas 78626

Re: Whether an executive order is enforceable as a "law" under subsection 1.07(a)(30) of the Penal Code (RQ-0432-KP)

## SUMMARY

Pursuant to section 418.012 of the Government Code, executive orders issued by the Governor pursuant to his emergency powers under chapter 418 have the force and effect of law. The Penal Code defines "law"

to include a rule authorized by and lawfully adopted under a statute. A court is therefore likely to conclude that executive orders authorized by and lawfully adopted pursuant to the Governor's statutory emergency powers constitute "laws" for purposes of subsection 1.07(a)(30) of the Penal Code.

*For further information, please access the website at [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov) or call the Opinion Committee at (512) 463-2110.*

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Office of the Attorney General

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