

## Legislative Nondelegation Doctrine Codebook

### **CASE**

Lists the case name.

### **CITE**

Lists the case citation.

### **YEAR**

Denotes the year in which the case was decided.

### **JURIS**

Denotes the court in which the case was heard. If the case was heard in state court, the state's two-letter postal abbreviation is used. If the case was heard in a federal court, the level of court is specified. For the U.S. Supreme Court, "USSC" is used. For federal courts of appeals, "CIR" is used. And for federal district courts, "DIST" is used.

### **HELD**

(0 = nondelegation challenge fails, 1 = nondelegation challenge succeeds)

A dichotomous variable that takes a value of "0" if the court upheld the statute against a nondelegation challenge or invalidated the statute for reasons unrelated to the nondelegation doctrine and a value of "1" if the court held any part of the statute to be an unconstitutional violation of the nondelegation doctrine.

### **OBJECT**

(1 = chief executive, 2 = executive agency, 3 = judiciary, 4 = lower level of government, 5 = voters, 6 = other)

A categorical variable designating the entity to which the legislature delegated power. This field takes a value of "1" if the legislature delegated power to a chief executive (i.e., a congressional delegation to the president or a state legislative delegation to a governor), a value of "2" if the legislature delegated power to an executive agency, a value of "3" if the legislature delegated power to the judiciary, a value of "4" if the legislature delegated power to a lower level of government (e.g., a congressional delegation to state legislatures or a state legislative delegation to a city council), a value of "5" if the legislature delegated power to the voters (e.g., a referendum), and a value of "6" if the legislature delegated power to an entity not covered by one of the prior categories (e.g., a state legislative delegation to a private licensing board, a business association, the federal government, or a different state legislature). If the legislature delegated power to multiple entities that fall into distinct categories, this field takes more than one value.

**LAW**

(1 = regulatory, 2 = taxing, 3 = spending, 4 = other)

A categorical variable designating the subject matter of the legislative power that was delegated. This field takes a value of "1" if the legislature delegated a regulatory power (civil or criminal), a value of "2" if the legislature delegated a taxing power, a value of "3" if the legislature delegated a spending power, and a value of "4" if the legislature delegated a power that does not fall into one of the other three categories. If the legislature delegated multiple powers that fall into distinct categories, this field takes more than one value.

**PRECEDENT**

(0 = no, 1 = yes)

A dichotomous variable indicating whether the court cited prior case law to support the existence of or its understanding of the nondelegation doctrine.

**TEXT**

(0 = no, 1 = yes)

A dichotomous variable indicating whether the court cited textual language from the constitution (either state or federal) or a specific provision of the constitution (either state or federal) to support the existence of or its understanding of the nondelegation doctrine.

**MAXIM**

(0 = no, 1 = yes)

A dichotomous variable indicating whether the court cited general unwritten principles or inherited traditions to support the existence of or its understanding of the nondelegation doctrine.