

THE PUBLIC INFORMATION ACT

Texas Government Code, Chapter 552, gives you the right to access government records; and an order for public information and the agent may not ask why you want them. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies promptly release requested information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought.

Rights of Requestors

You have the right to:

- Prompt access to information that is not confidential or otherwise protected;
- Receive treatment equal to all other requestors, including accommodation in accordance with the Americans with Disabilities Act (ADA) requirements;
- Receive certain kinds of information without exceptions like the voting record of public officials, and other information;
- Receive a written statement of estimated charges when charges will exceed \$40, in advance of work being started and opportunity to modify the request in response to the itemized statement;
- Choose whether to inspect the requested information (most often at no charge), receive copies of the information or both;
- A waiver or modification of charges for terminations of records.

- Ask the Office of the Attorney General for a ruling on whether the information can be withheld under one of the accepted exceptions, or if the communication discloses the requested information in a redacted copy;
- Lodge a written complaint about charges for public information with the Office of the Attorney General. Complaints of other possible violations may be filed with the county or district attorney of the county where the governmental body, other than a state agency, is located. If the complaint is against the county or district attorney, the complaint must be filed with the Office of the Attorney General.

Responsibilities of Governmental Bodies

All governmental bodies responding to information requests have the responsibility to:

- Treat all requestors uniformly and shall give to the requestor all reasonable comfort and facility, including accommodation in accordance with ADA requirements;
- Be informed about open records laws and educate employees on the requirements of those laws;
- Inform requestors of the estimated charges greater than \$40 and any changes in the estimates above 20 percent of the original estimate and confirm that the requestor accepts the charges, or has amended the request, in writing before finalizing the request;
- Release the requested information promptly and set a date and time to provide it within a reasonable time;
- Request a ruling from the Office of the Attorney General regarding any information the governmental body wishes to withhold, and send a copy of the request for ruling, or a redacted copy, to the requestor;

Segregate public information from information that may be withheld.

- You may review it promptly, and if it cannot be produced within 10 working days the public information officer will notify you in writing of the reasonable date and time when it will be available.
- Keep all appointments to inspect records and to pick up copies. Failure to keep appointments may result in losing the opportunity to inspect the information at the time requested.

Cost of Records

- You must respond to any written estimate of charges within 10 days of the date the governmental body sent it or the request is considered automatically withdrawn.
- If estimated costs exceed \$100.00 (or \$50.00 if a governmental body has fewer than 16 full time employees) the governmental body may require a bond, prepayment or deposit.
- You may ask the governmental body to determine whether providing the information primarily benefits the general public, resulting in a waiver or reduction of charges.
- Make a timely payment for all mutually agreed charges. A governmental body can demand payment of overdue balances exceeding \$100.00, or obtain a security deposit, before processing additional requests from you.

B. Information that may be withheld due to an exception

If a governmental body determines the requested information is not subject to a previous determination or a statute that allows the information to be withheld without requesting a ruling, by the 10th business day after a governmental body receives your written request, a governmental body must:

1. request an Attorney General Letter Decision and state which exceptions apply;
 2. notify the requestor of the referral to the Attorney General; and
 3. notify third parties if the request involves their proprietary information.
- Failure to request an Attorney General Letter Decision and notify the requestor within 10 business days will result in a presumption that the information is open unless there is a compelling reason to withhold it.

Requestors may send a letter to the Attorney General arguing for release, and may review arguments made by the governmental body. If the arguments disclose the requested information, the requestor may obtain a redacted copy.

- The Attorney General must issue a decision no later than the 45th working day from the day after the attorney general received the request for a decision. The attorney general may request an additional 10 working day extension.

Governmental bodies may not ask the Attorney General to "reconsider" a decision.

To request information from this governmental body, please contact:

By mail: 0 G G J D F P G \$ P N Q M J B O D F
6 O J W F S T J U Z # P V M F W B S E . 4 \$
, J O H T W J M M F 5 F Y B T

By e-mail: Q V C M J D J O G P S N B U J P O ! U B N V L F E V

* O Q F S T P O B U - F X J T) B M M S P P N

Z F M F D U S P O J D T V C N J T T J P O

XXX U B N V L F E V D P N Q M J B O D F P Q F O @ S F D P S E T I U N M

For complaints regarding failure to release public information please contact your local County or District Attorney. Please ask and you will be provided with this information.

- You may also contact the