



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTOX  
ATTORNEY GENERAL**

April 11, 1989

Honorable David L. Cobb  
Mayor  
City of West Tawakoni  
Rt. 1, Box 354  
Quinlan, Texas 75474

Dear Mayor Cobb:

This will acknowledge receipt of your letter of March 9, 1989, regarding an open record request for voluminous documents. Your letter has been assigned ID# 5843. This decision is OR89-108.

The difficulty or cost to a governmental body of complying with the Texas Open Records Act, article 62521-17a, V.T.C.S., does not govern whether requested information is available to the public. See Attorney General Opinion JM-672 (1987). In this case, it may be preferable to simply allow the requestor access to the original records so that he may search for the records he wants copied. See Open Records Decision No. 467 (1987). The Open Records Act gives the requestor the option of taking notes from or paying for copies of public records. V.T.C.S. art. 6252-17a, § 4; Open Records Decision No. 152 (1977); see also Attorney General Opinion JM-757 (1987).

Although your concerns regarding the removal of original records may be valid, there are alternatives to denying the requestor access. Because the act does not authorize denying access, the city must consider alternatives. For example, the city may establish a well-travelled room in which to review the records and prohibit the requestor from carrying anything into the room such as a brief case that could be used to remove documents. Ensuring that no original records are removed does not require "constant surveillance."

If allowing the public access to public records requires more personnel than the city has, it may be time for the city to consider hiring personnel to manage and

Honorable David L. Cobb  
April 11, 1989  
Page 2

organize its records. Although the public must pay for copies of public records, the cost of general compliance with the law, including the Open Records Act, is simply a cost of being a governmental body in Texas.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR89-108.

Yours very truly,

*Open Government Section*  
*of the Opinion Committee*

Open Government Section  
of the Opinion Committee  
Prepared by Jennifer S. Riggs  
Chief, Open Government Section

JSR/bc

Ref.: ID# 5843

cc: Harold Bedwell  
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