



Office of the Attorney General
State of Texas

February 11, 1994

DAN MORALES
ATTORNEY GENERAL

Mr. Thomas F. Keever
Assistant District Attorney
Dallas County
411 Elm Street, Administration Building
Dallas, Texas 75202

OR94-063

Dear Mr. Keever:

You advise us that the Dallas County Treasurer (the "treasurer") has received a request for information under the Texas Open Records Act, Government Code chapter 552 (formerly V.T.C.S. article 6252-17a).¹ We have assigned your request ID# 23861. Specifically, the requestor seeks:

1. All Requests for Payments for Federal Tax Deposits for FICA and WITHHOLDING, corresponding 8109, corresponding Dallas County Checks for the years 1988 thru 1993.
2. Dallas County Daily Balance Report from BankOne for the following dates: January 5, 6, 7, 8, 29 (1993); February 1, 25 (1993); March 24, 1993; April 14, 1993 . . .
3. All time cards for the entire year of 1993, 1992 and 1991.

You advise us that the requestor has sought this information in previous requests and that the treasurer has provided the requestor with multiple opportunities to access, inspect, and copy the requested information. You also advise us that the treasurer has permitted the requestor to bring his own copying machine into the treasurer's office. You contend that the requestor "has totally failed to make efficient use of the time provided him for inspection of the records and has conducted himself in such a manner as to compel the conclusion that his goal is harassment of his wife's former employer rather than access, inspection, and copying of public records." You request a decision of this office "as to

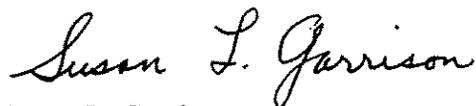
¹We note that the Seventy-third Legislature repealed V.T.C.S. article 6252-17a. Acts 1993, 73d Leg., ch. 268, § 46. The Open Records Act is now codified in the Government Code at chapter 552. *Id.* § 1. The codification of the Open Records Act in the Government Code is a nonsubstantive revision. *Id.* § 47.

how long and how many times we are obligated to provide access, inspection, and/or copying of records which [the requestor] has previously accessed, inspected, and/or copied."

Your concerns were addressed in Open Records Decision No. 512 (1988) (copy enclosed). In that decision, this office determined that section 552.225 of the act (former V.T.C.S. art. 6252-17a, § 4A) limits the time period during which a member of the public may physically inspect public records, but that section 552.225 does not authorize governmental bodies to deny repeated requests for copies of the same information. We recognize the inconvenience repeated requests may cause the treasurer. However, as noted in Open Records Decision No. 512, this office cannot address the issue of harassment through repeated requests or the issue of when a governmental body may be deemed to have complied with a particular request. Such considerations necessarily involve the resolution of fact questions, a function not available to this office. *See* Attorney General Opinion DM-98 (1992) at 3; Open Records Decision No. 426 (1985).²

Because 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 contact this office.

Yours very truly,



Susan L. Garrison
Assistant Attorney General
Open Government Section

SLG/GCK/rho

Enclosure: Open Records Decision No. 512

Ref.: ID# 23861

cc: Mr. Clair C. Woertendyke
3040 Potomac
University Park, Texas 75205
(w/o enclosure)

²We note that this office determined in Attorney General Opinion JM-757 (1987) that a governmental body may refuse to allow members of the public to duplicate public records by means of portable copying equipment when it is unreasonably disruptive of working conditions, when the records contain confidential information, when it would cause safety hazards, or when it would interfere with other persons' rights to inspect and copy records.