



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 6, 1995

Ms. Christine T. Rodriguez
Staff Attorney
Legal and Compliance, MC110-1A
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR95-1048

Dear Ms. Rodriguez:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 36066.

The Texas Department of Insurance (the "department") received a request for information concerning the Woodmen of the World Life Insurance Society. You say the department will release some of the requested information to the requestor. However, you say the department seeks to withhold from required public disclosure portions of the requested information pursuant to sections 552.101 and 552.112 of the Government Code. As representative samples of the information the department seeks to withhold from disclosure, you submitted to the office two examination reports.

Section 552.112 excepts from required public disclosure

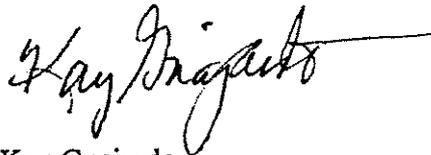
information contained in or relating to examination, operating, or condition reports prepared by or for an agency responsible for the regulation or supervision of financial institutions or securities, or both.

Insurance companies are financial institutions for purposes of section 552.112. *See* Open Records Decision No. 158 (1977). Section 552.112 excepts from required public disclosure reports submitted to the department by an insurance company. *See id.*

We, therefore, conclude that the department may withhold the information from required public disclosure based on section 552.112 of the Government Code.¹

Having concluded that the department may withhold the requested information based on section 552.112 of the Government Code, we need not address your section 552.101 claim at this time. We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/rho

Ref.: ID# 36066

Enclosures: Submitted documents

cc: Mr. William M Grant, Jr.
Grant, Leatherwood & Stern, P.A.
P.O. Box 10367
Greenville, South Carolina 29603-0367

¹In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.