



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 9, 1996

Ms. Laura S. Fowler
Henslee, Fowler & Hepworth
9600 Great Hills Trail, Suite 300 West
Austin, Texas 78759-6303

OR96-0507

Dear Ms. Fowler:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 38710.

The Birdville Independent School District (the "school district") received a request for "[a]ll information regarding convicted sex offenders living within the district sent to the Birdville Independent School District by local police departments or other sources." You raise no exceptions to required public disclosure. You note that the American Civil Liberties Union has already threatened suits to other school districts who have made public the type of information requested. You seek guidance from this office as to the school district's responsibility to respond to the request.

This office notified you by facsimile on February 13, 1996, to submit a copy of the specific information requested or a representative sample of the information requested. You submitted another copy of the requestor's letter to the school district stating that the letter "indicat[es] the specific information being requested." On February 28, 1996 we contacted your office by telephone and informed your secretary that we needed the specific requested information to rule on this file. To date, we have not received the requested information from you. Accordingly, the requested information is presumed to be public information. Gov't Code § 552.303(e). We remind the school district, however, that the release of confidential information is a criminal offense. *Id.* § 552.352.¹

¹Prior to its amendment by the Seventy-fourth Legislature, article 6252-13c.1 provided that a person who releases information required for sex offender registration to any person other than a law enforcement officer commits a Class B misdemeanor. Act of May 26, 1991, 72d Leg., R.S., ch. 572, § 1, 1991 Tex. Fen. Laws 2029, 2030, *amended by* Act of May 19, 1995, 74th Leg., R.S., ch. 258, § 6, 1995

We are resolving this matter with an 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 should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink that reads "Todd Reese". The signature is fluid and cursive, with a long horizontal line extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/LBC/rho

Ref: ID# 38710

cc: Mr. L. James Kunke
Editor
Mid-Cities News
1000 Avenue H East
Arlington, Texas 76011