



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 10, 1997

Ms. Barbara E. Roberts
City Attorney
City of Galveston
P.O. Box 779
Galveston, Texas 77553-0779

OR97-0515

Dear Ms. Roberts:

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# 104375.

The City of Galveston (the "city") received an open records request for records of "any phone calls, letters, memos, directives from others, and any written information you have identifying specific violations by" the requestor. You state that the city possesses no such records.

It is well-established that the Open Records Act does not require a governmental body to prepare new information in response to an open records request. Open Records Decision Nos. 452 (1986), 342 (1982). Nor does the act require the preparation of information in the form requested by a member of the public. Open Records Decision No. 145 (1976); *see also* Open Records Decision No. 347 (1982). The act applies only to information already transcribed into tangible form. In this instance it appears that the requested information does not currently exist. If such is the case, the city need not create any new document to respond to the open records request.

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,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/RWP/ch

Ref.: ID# 104375

cc: Mr. John M. Arrington
7025 Kopman Drive
Houston, Texas 77067-2709