



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

May 1, 1997

Mr. Joseph P. Sanders  
Sr. Asst. City Attorney  
City of Beaumont  
P.O. Box 3827  
Beaumont, Texas 77704

OR97-0998

Dear Mr. Sanders:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 105699.

The City of Beaumont (the "city") received a request for "the actual work cards and time sheets of duty truck number 21." You contend that the requested documents are excepted from disclosure under section 552.103(a) of the Government Code.

Pursuant to section 552.301(b), a governmental body is required to submit to this office (1) general written comments stating the reasons why the stated exceptions would allow the information to be withheld, (2) a copy of the written request for information, and (3) a copy of the specific information requested or representative samples, labeled to indicate which exceptions apply to which parts of the documents. You did not, however, submit to this office copies or representative samples of the specific documents requested.

Pursuant to section 552.303(c) of the Government Code, this office notified you via facsimile on February 25, 1997, that you had failed to submit the information required by section 552.301(b). We requested that you provide this information to our office within seven days from the date of receiving the notice. The notice further stated that under section 552.303(e) failure to comply would result in the legal presumption that the documents at issue are public information.

You did not provide our office with the information that was requested. Therefore, as provided by section 552.303(e), the requested documents are presumed to be public. In the absence of a demonstration that the documents are confidential by law or that other compelling reasons exist as to why the documents should not be made public, you must release the documents.<sup>1</sup> Open Records Decision No. 195 (1978).

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<sup>1</sup>We note that the distribution of confidential information is a criminal offense. Gov't Code § 552.352.

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 any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 105699

cc: Mr. Richard Schlesinger  
2035 Toledo  
Beaumont, Texas 77703