



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

July 31, 1998

Ms. Sheryl Doyal  
Business Manager  
Lago Vista Independent School District  
P.O. Box 4929  
Lago Vista, Texas 78645

OR98-1798

Dear Ms. Doyal:

You ask whether certain information is subject to required public disclosure under the Open Records Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 117210.

You inform us that the Lago Vista Independent School District (the "school district") received a request for information. You state that "[t]he information being requested is a listing of all vendors with whom we purchased \$10,000 or more last fiscal year."

On June 2, 1998, this office asked you to submit to this office a copy of the written request for information. *See* Gov't Code § 552.303. A governmental body that receives a written request for information that it wishes to withhold from public disclosure must submit to this office, among other things, a copy of the written request for information. *Id.* § 552.301. Failure to comply with this requirement results in the legal presumption that information requested is public information. *Id.* § 552.302. Thus, in the usual case, since the school district did not submit to this office the requisite information, this office would require the school district to release the requested information, unless the school district could demonstrate that compelling reasons exist for withholding the requested information.

However, here, you state that the information is not kept in the form requested. You state that the requestor does not seek the entire payables file or a list of those vendors to whom awards were made under the bidding procedures. The act does not require a governmental body to create new information in response to a request. *See* Open Records Decision No. 452 (1986). Thus, the act does not require the school district to prepare the requested list. *But see* Gov't Code § 552.231 (responding to requests that require programming or manipulation of data). On the other hand, a governmental body must make

a good faith effort to relate a request to information which it holds. Open Records Decision No. 561 (1990); *see* Gov't Code § 552.222(b) (governmental body may ask requestor to clarify request). If the school determines that the nonexistent list is the only information that the requestor seeks from it, the act requires no more of the school district in this case.

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 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Kay Hastings  
Assistant Attorney General  
Open Records Division

KHH/rho

Ref.: ID# 117210

cc: Ms. Gigi Gransden  
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