



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 13, 1998

Mr. Paul C. Isham
Attorney at Law
1408 W. Abram, Suite 103
Arlington, Texas 76013

OR98-1932

Dear Mr. Isham:

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# 117183.

The Town of Westlake (the "town") received a request for "checks, documents, invoices, receipts, records, and any other written financial information relating to the Town of Westlake." Although you state that some of the requested information will be released, you claim that the itemized billing information is excepted from disclosure under sections 552.103 and 552.107 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

We note that the request for information is from a state representative. Section 552.008 of the Government Code provides that a governmental body shall provide public information, including confidential information, to a requesting member of the legislature if the requesting member states that the information is requested for legislative purposes. In this instance, the requesting member states that the information is being requested for legislative purposes. The town argues that the requestor seeks this information for personal reasons and not for a legitimate legislative purpose.¹ We note that disputed questions of fact are not resolvable in the open records process, and therefore, the attorney general is unable to resolve the specific questions of fact in this instance. Open Records Decision Nos. 554

¹We also note that a governmental body may require a requesting member of the legislature to sign a confidentiality agreement providing for security and confidentiality of information that is otherwise confidential. Gov't Code § 552.008(b).

(1990), 552 (1990). Consequently, section 552.008 is applicable and the information must be released.²

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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref.: ID# 117183

Enclosures: Submitted documents

cc: Honorable Nancy Moffat
Texas House of Representatives
District 98
P.O. Box 2910
Austin, Texas 78768-2910
(w/o enclosures)

²Generally, the hours, rates, and amounts of legal expenses incurred by a governmental body are not excepted from required public disclosure. See Open Records Decision No. 589 (1991) (concluding that attorney fee bills may be withheld under section 552.107 only if they reveal client confidences or attorney advice).