



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 22, 2007

Ms. Susan K. Bohn
General Counsel
Lake Travis Independent School District
3322 Ranch Road 620 South
Austin, Texas 78738

OR2007-07971

Dear Ms. Bohn:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 281559.

The Lake Travis Independent School District (the "district") received a request for an "[e]lectronic copy of the Drawings and Specifications prepared by the Architect/Consultant/Contractor dated 11/08/06 regarding the District Wide Surveillance System RFP 06-039 . . . specifically for the (DFX and DWG) AutoCAD format drawing files referenced in the RFP document[s]." While the requestor seeks the information in the "AutoCAD" format, you state that the district has previously released all of the requested information electronically in "Adobe Acrobat PDF" format.¹ You claim that the submitted information is not public information subject to disclosure under the Act. In the alternative, you claim that the district is not required by the Act to provide the requestor with the information in "AutoCAD" format. We have considered your claims and reviewed the submitted information. We have also considered comments submitted by the requestor. *See* Gov't Code § 552.304 (providing that an interested party may submit written comments stating why the information at issue should or should not be released).

The Act applies to "public information," which is defined under section 552.002 as:

information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business:

¹You also state the district provided a paper copy.

- (1) by a governmental body; or
- (2) for a governmental body and the governmental body owns the information or has a right of access to it.

Gov't Code § 552.002; *see also id.* § 552.021. The requestor seeks copies of drawings and specifications regarding the district wide surveillance system in the AutoCAD format. You argue that, based on our reasoning in Open Records Decision No. 581 (1990), the submitted information is not subject to public disclosure under the Act. In Open Records Decision No. 581, this office determined that certain computer information that has no significance other than its use as a tool for the maintenance, manipulation, or protection of public property, such as source codes, documentation information, and other computer programming, is not the kind of information made public under section 552.021 of the Government Code. Based on the reasoning in this decision and our review of the submitted information, we determine that detailed maps of camera locations have significance other than their use as a tool for the maintenance, manipulation, or protection of public property.

Furthermore, you inform us that the district has already released to this requestor, in response to a previous request, a paper copy and Adobe Acrobat PDF version of the information at issue. Accordingly, we conclude that the submitted information is public information as defined by section 552.002, and is subject to disclosure under the Act.

Next, section 552.228 of the Government Code requires “[i]f public information exists in an electronic or magnetic medium, the requestor may request a copy either on paper or in an electronic medium, such as on diskette or on magnetic tape. A governmental body shall provide a copy in *the requested medium*” if certain conditions are met. Gov't Code § 552.228(b) (emphasis added). We note that the Act does not generally require a governmental body to produce information in the particular format requested. *See A&T Consultants, Inc. v. Sharp*, 904 S.W.2d 668, 676 (Tex. 1995); *Fish v. Dallas Indep. Sch. Dist.*, 31 S.W.3d 678, 681 (Tex. App.—Eastland, *pet. denied*); Attorney General Opinion H-90 (1973); Open Records Decision Nos. 452 at 2-3, 342 at 3 (1982), 87 (1975).

In this instance, you state that you have provided the requestor with the requested information in the requested medium, i.e. electronically on a compact disk. We find that the district complies with its duties under the Act if it provides the requestor with a compact disk containing the responsive information, and that the district need not provide the information in the particular format the requestor seeks.

This letter ruling is limited to the particular records at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other records or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For example, governmental bodies are prohibited from asking the attorney general to reconsider this ruling. Gov't Code § 552.301(f). If the

governmental body wants to challenge this ruling, the governmental body must appeal by filing suit in Travis County within 30 calendar days. *Id.* § 552.324(b). In order to get the full benefit of such an appeal, the governmental body must file suit within 10 calendar days. *Id.* § 552.353(b)(3), (c). If the governmental body does not appeal this ruling and the governmental body does not comply with it, then both the requestor and the attorney general have the right to file suit against the governmental body to enforce this ruling. *Id.* § 552.321(a).

If this ruling requires the governmental body to release all or part of the requested information, the governmental body is responsible for taking the next step. Based on the statute, the attorney general expects that, upon receiving this ruling, the governmental body will either release the public records promptly pursuant to section 552.221(a) of the Government Code or file a lawsuit challenging this ruling pursuant to section 552.324 of the Government Code. If the governmental body fails to do one of these things, then the requestor should report that failure to the attorney general's Open Government Hotline, toll free, at (877) 673-6839. The requestor may also file a complaint with the district or county attorney. *Id.* § 552.3215(e).

If this ruling requires or permits the governmental body to withhold all or some of the requested information, the requestor can appeal that decision by suing the governmental body. *Id.* § 552.321(a); *Texas Dep't of Pub. Safety v. Gilbreath*, 842 S.W.2d 408, 411 (Tex. App.—Austin 1992, no writ).

Please remember that under the Act the release of information triggers certain procedures for costs and charges to the requestor. If records are released in compliance with this ruling, be sure that all charges for the information are at or below the legal amounts. Questions or complaints about over-charging must be directed to Hadassah Schloss at the Office of the Attorney General at (512) 475-2497.

If the governmental body, the requestor, or any other person has questions or comments about this ruling, they may contact our office. Although there is no statutory deadline for contacting us, the attorney general prefers to receive any comments within 10 calendar days of the date of this ruling.

Sincerely,



Jennifer L. Luttrall
Assistant Attorney General
Open Records Division

JLU/sdk

Ref: ID# 281559

Enc. Submitted documents

c: Mr. David Lovelace
103 Galaxy
Austin, Texas 78734
(w/o enclosures)