



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 26, 2009

Mr. Manny Salazar
Chief of Staff
Office of Representative Dwayne Bohac
P.O. Box 2910
Austin, Texas 78768

OR2009-12096

Dear Mr. Salazar:

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# 353620.

The Office of Representative Dwayne Bohac (the "representative") received a request for any documents pertaining to four specified entities and any correspondence between the representative and seven specified individuals. You state you do not possess any information responsive to the present request.¹

Generally, the Act authorizes the Office of the Attorney General to render decisions and opinions in two situations. The first occurs when a governmental body receives a written request for information from an individual or entity acting as a member of the public and requests a ruling from this office because the governmental body wishes to withhold responsive information in accordance with one of the Act's exceptions to disclosure. *See* Gov't Code §§ 552.301, .306. The second situation occurs when this office issues "materials, including detailed and comprehensive written decisions and opinions, that relate

¹We note that the Act does not require a governmental body to release information that did not exist when it received a request or create responsive information. *See Econ. Opportunities Dev. Corp. v. Bustamante*, 562S.W.2d 266 (Tex. Civ. App.—San Antonio 1978, writ dismissed); Open Records Decision Nos.605 at 2 (1992), 555 at 1 (1990), 452 at 3 (1986), 362 at 2 (1983).

to or are based on [the Act]" in order to "maintain uniformity in the application, operation, and interpretation of [the Act.]" Gov't Code § 552.011.

As noted above, you state that the representative does not have any information responsive to the request. Thus, we conclude that this office does not have the authority to render a decision regarding the requested documents. We therefore will consider this matter closed. If you have any questions with regard to this letter, please refer to ID #353620.

Sincerely,

A handwritten signature in black ink, appearing to read 'GH', with a long horizontal flourish extending to the right.

Greg Henderson
Assistant Attorney General
Open Records Division

GH/rl

Ref: ID#353620

Enc. Submitted documents

c: Requestor
(w/o enclosures)