



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

July 19, 1988

Honorable Gary Joe Taylor
Leon County Attorney
P. O. Box 429
Centerville, Texas 75833

LO-88-84

Dear Mr. Taylor:

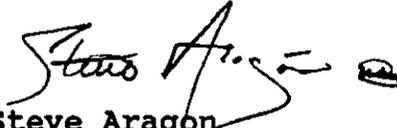
You inform us that the county clerk of Leon County has refused to allow individuals to make photocopies of records contained in the grantor and grantee indexes maintained in the clerk's office. In essence, you ask whether the clerk's actions are improper. You note that section 193.003 of the Local Government Code requires the county clerk to maintain indexes to real property records containing the names of the grantors and grantees in alphabetical order. Section 191.006 of the Local Government Code authorizes a member of the public to make copies of any record belonging to the office of the county clerk. You therefore conclude that the records in question may be photocopied.

We agree with your conclusion. Section 191.006 of the Local Government Code clearly grants the public a right to inspect and copy the records of the county clerk's office. See Open Records Decision Nos. 274 (1981); 204 (1978). We believe section 191.006 imposes a duty on the county clerk to reasonably accommodate requests to copy records of the clerk's office. Also, the Open Records Act makes it the duty of the custodian of public records to see that such records are made available for public inspection and copying under reasonable rules adopted by the governmental body holding the records. V.T.C.S. art. 6252-17, §§ 5(a), 13. The Open Records Act declares that all information collected, maintained, or assembled by governmental bodies pursuant to law or ordinance or in connection with the transaction of official business is public information and is available to the public with only certain enumerated exceptions. The act makes no exception for real property indexes compiled pursuant to section 193.003 of the

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Local Government Code. Accordingly, we conclude that such records must be made available for inspection and copying by a member of the public.

Very truly yours,


Steve Aragon
Assistant Attorney General

SA/er
ID# 3432
RQ-1436