



TEXAS PUBLIC INFORMATION ACT
REQUEST FORM

For guidance regarding your rights as a requestor and the public information procedures adopted by this governmental body, you may review the notice required under section 552.205 of the Government Code, attached hereto. You can find additional Public Information Act resources on the Office of the Attorney General's website at http://www.texasattorneygeneral.gov/open-government.

Requestor Contact Information

First Name: _____ Last Name: _____
Company/Organization: _____
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
E-mail Address: _____ Phone Number: _____
Preferred Manner of Written Communication: (please circle one) Standard Mail email

Description of the Information Requested

(Note: Describe the information as precisely as you can.)

[Empty box for description of information requested]

Date Range (optional): From: _____ To: _____

Under the Public Information Act, some categories of information do not have to be released. Exceptions to disclosure fall into two general categories: 1) mandatory exceptions that make information confidential and require a governmental body to withhold information, and 2) discretionary exceptions that allow but do not require a governmental body to withhold information. You may find information about mandatory and discretionary exceptions on the reverse of this form.

In most instances, a governmental body is required to request a decision from the Attorney General in order to withhold information from a requestor. However, a requestor may permit a governmental body to redact information without requesting an Attorney General decision. You are not required to agree to the redaction of any information responsive to your request but doing so may streamline the handling of your request. If you agree to redactions in this request, then you may request the redacted information in a future information request.

- Do you agree to the redaction of information that is subject to mandatory exceptions, provided such redactions are clearly labeled on the information you received? No Yes
Do you agree to the redaction of information that is subject to discretionary exceptions, provided such redactions are clearly labeled on the information you receive? No Yes

MANDATORY EXCEPTIONS

A governmental body is required to withhold certain types of information by statute. If information is confidential by statute, a governmental body generally cannot release the requested information. Here is a list of common types of information that is confidential by law.

- **Dates of birth of living persons**
- **Driver’s license numbers**
- **License plate numbers**
- **Credit card numbers**
- **Insurance policy numbers**

DISCRETIONARY EXCEPTIONS

A governmental body has the option to withhold non-confidential information in certain circumstances. In other words, a governmental body is not required to withhold requested information, but it may use its discretion to withhold the information, and send a request to withhold the information to the Attorney General. Here is a list of common types of information a governmental body may choose to withhold.

- **Attorney-Client communications**
- **Drafts of policymaking documents**
- **Information related to pending litigation**
- **Audit working papers**
- **Competitive bidding information before contract awarded**

INFORMATION PREFERENCES: (please circle one)

- How would you like to have the information provided? Copies Inspection
- If available, do you wish to receive an electronic copy of the information? No Yes

Please Note: If the information requested is unclear or if a large amount of information is requested you may be contacted to discuss clarifying or narrowing your request. There may be charges associated with production of the requested information. You may find more information regarding the charges under the Public Information Act at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/charges-public-information>.

THE PUBLIC INFORMATION ACT

Texas Government Code, Chapter 552, gives you the right to access government records; and an officer for public information and the officer's agent may not ask why you want them. All government information is presumed to be available to the public. Certain exceptions may apply to the disclosure of the information. Governmental bodies shall **promptly** release requested information that is not confidential by law, either constitutional, statutory, or by judicial decision, or information for which an exception to disclosure has not been sought.

Rights of Requestors

You have the right to:

- Prompt access to information that is not confidential or otherwise protected;
- Receive treatment **equal** to all other requestors, including accommodation in accordance with the Americans with Disabilities Act (ADA) requirements;
- Receive certain kinds of **information without exceptions**, like the voting record of public officials, and other information;
- Receive a **written statement of estimated charges**, when charges will exceed \$40, in advance of work being started and opportunity to modify the request in response to the itemized statement;
- Choose whether to inspect the requested information (most often at no charge), receive copies of the information or both;
- A **waiver** or reduction of charges if the governmental body determines that access to the information primarily benefits the general public;
- Receive a copy of the communication from the governmental body asking the Office of the Attorney General for a ruling on whether the information can be withheld under one of the accepted exceptions, or if the communication discloses the requested information, a redacted copy;
- Lodge a written complaint about overcharges for public information with the Office of the Attorney General. Complaints of other possible violations may be filed with the county or district attorney of the county where the governmental body, other than a state agency, is located. If the complaint is against the county or district attorney, the complaint must be filed with the Office of the Attorney General.

Responsibilities of Governmental Bodies

All governmental bodies responding to information requests have the responsibility to:

- Establish **reasonable procedures** for inspecting or copying public information and inform requestors of these procedures;
- Treat **all** requestors uniformly and shall give to the requestor all reasonable comfort and facility, including accommodation in accordance with ADA requirements;
- Be informed about open records laws and educate employees on the requirements of those laws;
- Inform requestors of the estimated charges greater than \$40 and any changes in the estimates above 20 percent of the original estimate, and **confirm that the requestor** accepts the charges, or has amended the request, in writing before finalizing the request;
- Inform the requestor if the information cannot be provided promptly and set a **date and time to provide it** within a reasonable time;
- Request a **ruling from the Office of the Attorney General** regarding any information the governmental body wishes to withhold, and send a copy of the request for ruling, or a redacted copy, to the requestor;
- **Segregate** public information from information that may be withheld and provide that public information **promptly**;
- Make a good faith attempt to **inform third parties** when their proprietary information is being requested from the governmental body;
- Respond in writing to all written communications from the Office of the Attorney General regarding charges for the information. Respond to the Office of the Attorney General regarding complaints about violations of the Act.

Procedures to Obtain Information

- √ Submit a request by mail, e-mail, or in person, or any other appropriate method approved by the governmental body.
- √ Include enough description and detail about the information requested to enable the governmental body to accurately identify and locate the information requested.
- √ Cooperate with the governmental body's reasonable efforts to clarify the type or amount of information requested.

A. Information to be released

- You may review it promptly, and if it cannot be produced within 10 working days the public information officer will notify you in writing of the reasonable date and time when it will be available.
- Keep all appointments to inspect records and to pick up copies. Failure to keep appointments may result in losing the opportunity to inspect the information at the time requested.

Cost of Records

- **You must respond to any written estimate of charges within 10 days of the date the governmental body sent it or the request is considered automatically withdrawn.**
- If estimated costs exceed \$100.00 (or \$50.00 if a governmental body has fewer than 16 full time employees) the governmental body may require a bond, prepayment or deposit.
- You may ask the governmental body to determine whether providing the information primarily benefits the general public, resulting in a waiver or reduction of charges.
- Make a timely payment for all mutually agreed charges. A governmental body can demand payment of overdue balances exceeding \$100.00, or obtain a security deposit, before processing additional requests from you.

B. Information that may be withheld due to an exception

- If a governmental body determines the requested information is not subject to a previous determination or a statute that allows the information to be withheld without requesting a ruling, by the 10th business day after a governmental body receives your written request, a governmental body must:
 1. request an Attorney General Letter Decision and state which exceptions apply;
 2. notify the requestor of the referral to the Attorney General; and
 3. notify third parties if the request involves their proprietary information.
- Failure to request an Attorney General Letter Decision and notify the requestor within 10 business days will result in a presumption that the information is open unless there is a compelling reason to withhold it.
- Requestors may send a letter to the Attorney General arguing for release, and may review arguments made by the governmental body. If the arguments disclose the requested information, the requestor may obtain a redacted copy.
- The Attorney General must issue a decision no later than the 45th working day from the day after the attorney general received the request for a decision. The attorney general may request an additional 10 working day extension.
- Governmental bodies may not ask the Attorney General to "reconsider" a decision.

To request information from this governmental body, please contact:
By mail:

Public Information Coordinator
301 Congress Avenue, Suite 1000
Austin, TX 78701

By e-mail: **PIR@atptx.org**

In person: **301 Congress Avenue, Suite 1000**
Austin, TX 78701

For complaints regarding failure to release public information please contact your local County or District Attorney. Please ask and you will be provided with this information.

- You may also contact the **Office of the Attorney General**, Open Government Hotline, at 512-478-6736 or toll-free at 1-877-673-6839.
- For complaints regarding overcharges, please contact the **Office of the Attorney General**, Cost Hotline at 512-475-2497 or toll-free at 1-888-672-6787.

If you need special accommodation pursuant to the Americans With Disabilities Act (ADA), please contact our ADA coordinator,

at