



# The Attorney General of Texas

May 18, 1981

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Affirmative Action Employer

Mr. Lias B. "Bubba" Steen  
Texas Department of Labor and  
Standards  
P. O. Box 12157  
Austin, Texas 78711

Open Records Decision No. 271

Re: Whether a boxer-promoter  
contract on file with the Texas  
Department of Labor and Standards  
is available to the public

Dear Mr. Steen:

You have requested our decision under the Open Records Act, article 6252-17a, V.T.C.S., as to whether a contract between a boxer and a promoter filed with the Texas Department of Labor and Standards is available to the public.

Section 4 of article 8501-1, V.T.C.S., authorizes the commissioner of the Department of Labor and Standards, inter alia, to:

promulgate any and all reasonable rules and regulations which may be necessary for the purpose of enforcing the provisions of this Act.

Pursuant to such authority, the commissioner has promulgated the following regulations:

(a) Promoters shall be required to have written agreements of contract executed in triplicate with the boxers showing amount of guarantee or percentage promised, the number and time limit of rounds, when and where they are scheduled to appear, and all other details governing contracts and agreements. Standard forms will be furnished by the Texas Department of Labor and Standards.

(b) The promoter shall furnish one copy of contract to the boxer or his manager, shall retain one copy, and forward one copy to the commissioner of labor and standards with tax report on the contests held.

16 T.A.C. §61.70

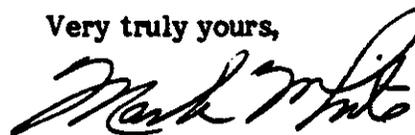
All payments of purse shall be made in cash immediately after the contest and not before the contest. In the case of a percentage contract, payment shall be made as soon as the percentage can be determined. If a boxer has a manager, separate payments will be made to the boxer and manager and the receipt signed and delivered to the department. If the boxer has no manager legally entitled to represent him, the purse shall be paid in full to the contestant.

16 T.A.C. §61.68.

This office has frequently held that financial information related to a business enterprise is not excepted from disclosure by section 3(a)(4) or 3(a)(10) of the Open Records Act unless there is a specific statute or judicial decision which renders such information confidential; unless disclosure would impair the government's ability to obtain the information in the future; or unless there is evidence of a specific harm that will result from disclosure. Open Records Decision Nos. 173 (1977); 203 (1978); 246 (1980). We are aware of no statute or judicial decision which treats the earnings of a boxer on a particular match as confidential. In addition, since copies of the contracts are required by regulation to be filed with the Department of Labor and Standards, and since this regulation is, in turn, authorized by article 8501-1, disclosure will not impair the department's ability to obtain the information in the future. Furthermore, there has been no suggestion that any specific harm might result from disclosure of these documents. Indeed, this office has said that financial information considerably more detailed than that at issue here is not excepted from disclosure. Open Records Decision Nos. 246 (1980); 201 (1978).

It is our decision that a boxer-promoter contract filed with the Department of Labor and Standards is not excepted from disclosure under any provision of the Open Records Act .

Very truly yours,



MARK WHITE  
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**APPROVED:  
OPINION COMMITTEE**

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