



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

January 9, 1990

Mr. A. W. Pogue
Commissioner of Insurance
State Board of Insurance
1110 San Jacinto
Austin, Texas 78701-1998

Dear Mr. Pogue:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 6464; this decision is OR90-010.

The State Board of Insurance (SBI) received an open records request for certain documents pertaining to "United Services Automobile Association and/or USAA Casualty Insurance Company." You contend that sections 3(a)(1), 3(a)(11), and 3(a)(12) protect the requested information from required public disclosure.

Section 3(a)(12) of the act permits you to withhold examination reports of financial institutions. Open Records Decision No. 158 (1977) held that insurance companies are financial institutions for purposes of section 3(a)(12). You may therefore withhold examination reports and correspondence that reveals the contents of those reports.

Insurance holding company system registration statements submitted to the SBI pursuant to section 3 of Insurance Code article 21.49-1 are made confidential by section 10 of that same article. You must therefore withhold these statements pursuant to section 3(a)(1).

We have marked the portions of the inter-office memoranda that consist of recommendations that come under the protection of section 3(a)(11); the remaining information in these memoranda must be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a

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published open records decision. If you have questions about this ruling, please refer to OR90-010.

Yours very truly,

*Open Government Section
of the Opinion Committee*

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Approved by Sarah Woelk
Assistant Attorney General

SW/RWP/le

Ref.: ID# 6464

Enclosure: Marked Documents

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