



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

June 12, 1990

Mr. Russell Ben Williams
Interim City Manager/City Attorney
City of Kingsville
P.O. Box 1458
Kingsville, Texas 78363

OR90-220

Dear Mr. Williams:

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# 9162.

We have considered the exceptions you claimed, specifically section 3(a)(1) and 7(c). A previous determination of this office, Open Records Decision No. 257 (1980), a copy of which is enclosed, resolves your request. See also Open Records Decision Nos. 345 (1982); 264 (1981). With regard to the promise of confidentiality given to the applicants, we note that a governmental body can not create new exceptions to the Open Records Act by agreement. See Open Records Decision No. 514 (1988). The Open Records Act requires the release of all information held by governmental bodies unless one of the act's specific exceptions protects the information from required disclosure. Id. See also Attorney General Opinion JM-672 (1987). For this reason, you must release the requested information.

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 published open records decision. If you have questions about this ruling, please refer to OR90-220.

Yours very truly,

A handwritten signature in cursive script that reads "Kay H. Guajardo".

Kay H. Guajardo
Assistant Attorney General
Opinion Committee

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KHG/le

Ref.: ID# 9162

Enclosure: Open Records Decision No. 257 (1980)

cc: John Bruce
Reporter
P.O. Box 9136
Corpus Christi, Texas 78469