



**THE ATTORNEY GENERAL  
OF TEXAS**

**JIM MATTOX  
ATTORNEY GENERAL**

June 21, 1990

Mr. J. Michael Morris, I.F.A., RPA  
Chief Appraiser  
Guadalupe County Appraisal District  
P.O. Box 1226  
Sequin, Texas 78156

OR90-258

Dear Mr. Morris:

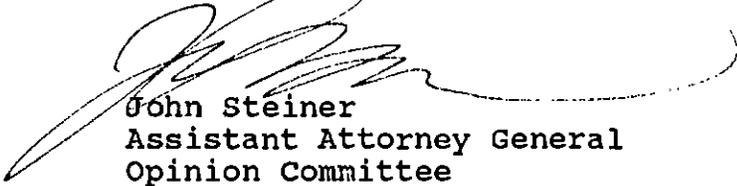
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 8755.

Under the Open Records Act, all information held by governmental bodies is open unless it falls within one of the act's specific exception to disclosure. The act places on the custodian of records the burden of proving that records are excepted from public disclosure. Attorney General Opinion H-436 (1974). If a governmental body fails to claim an exception, the exception is ordinarily waived unless the information is deemed confidential under the act. See Attorney General Opinion JM-672 (1987). The act does not require that this office raise and consider exceptions that you have not raised.

The requested information concerns expenditures of the appraisal district and is thus of public interest. Consequently, it cannot be excepted from public disclosure under the common law privacy aspect of § 3(a)(1). See, e.g. Open Records Decision No. 443 (1986). As you raise no other exception, 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-.

Yours very truly,

  
John Steiner  
Assistant Attorney General  
Opinion Committee

JS/le

Mr. J. Michael Morris - Page 2 (OR90-258)

Ref.: ID# 8755, 8480

cc: W.R. Tatum  
759 North Olive Street  
Seguin, Texas 78155

James Neffendorf  
2517 North Austin  
Seguin, Texas 78155