



THE ATTORNEY GENERAL
OF TEXAS

JIM BEATTON
ATTORNEY GENERAL

July 6, 1990

Ms. Ann Graham
General Counsel
Department of Banking
2601 N. Lamar Boulevard
Austin, Texas 78705-4294

OR90-282

Dear Ms. Graham:

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# 9333.

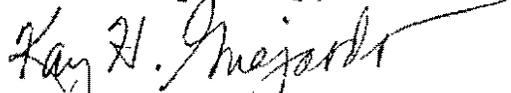
You received a request for all information in an application filed with the Texas Department of Banking for the acquisition of voting securities of a certain state bank. You claim this information is excepted from required public disclosure under section 3(a)(1) of the Open Records Act as information made confidential by statute, i.e., article 342-401a, § B, V.T.C.S. That statute, which, among other things, sets forth the information required on an application for the transfer of stock of a state bank, provides in pertinent part:

(6) . . . Information obtained by the Banking Commissioner under this Article is confidential and may not be disclosed by the Banking Commissioner or any officer or employee of the Banking Department. . .

We agree that the confidentiality provision of article 342-401a, § B(6) applies to the requested information in this case; hence, it is excepted from required public disclosure by section 3(a)(1) of the Open Records Act. For this reason, you may withhold the information on the application.

Because the plain language of the statute resolves 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 OR90-282.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/le

Ref.: ID# 9333

cc: James R. Townsend
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